

## **INDEX OF 2017 RESOLUTIONS**

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**JANUARY 4<sup>TH</sup>, 2017 ORGANIZATIONAL TOWN BOARD MEETING**

**\*Resolution 2017-1: Dates of Meetings**

BE IT RESOLVED, the Regular Monthly Board meetings of the Ulysses Town Board will be held on the second Tuesday of each month at 7:00 p.m. at the Ulysses Town Hall at 10 Elm Street, Trumansburg, NY. A second monthly meeting will be held on the 4th Tuesday of each month at 7:00 p.m.

Moved: Ms. Zahler                      Seconded: Mr. Goldman

Ms. Thomas	aye
Ms. Zahler	aye
Mr. Hertzler	aye
Mr. Boggs	aye
Mr. Goldman	aye

Vote: 5-0  
Date Adopted: 1/4/17

**\*Resolution 2017-2: Media**

BE IT RESOLVED the designated news media is advised of the foregoing schedule and meeting notices will be posted, in accordance with the Open Meetings Law, on the Town Clerk’s bulletin board and the Town Website.

FURTHER RESOLVED the Ithaca Journal, a newspaper regularly published and having general circulation in the Town, is hereby designated as the official newspaper of Town of Ulysses.

Moved: Ms. Zahler                      Seconded: Mr. Goldman

Ms. Thomas	aye
Ms. Zahler	aye
Mr. Hertzler	aye
Mr. Boggs	aye
Mr. Goldman	aye

Vote: 5-0  
Date Adopted: 1/4/17

**\*Resolution 2017-3: Minutes**

BE IT RESOLVED, Draft minutes of the Town Board meetings will be produced by the Town Clerk within 14 days of the date of the meeting and sent to Town Board members for approval.

FURTHER RESOLVED in accordance with the Open Meetings Law, draft meeting minutes, clearly labeled with the date and "DRAFT, not yet approved" will be available to the public through the Town Clerk's Office, but not posted on the web site until approved by the Town Board.

Moved: Ms. Zahler

Seconded: Mr. Goldman

Ms. Thomas	aye
Ms. Zahler	aye
Mr. Hertzler	aye
Mr. Boggs	aye
Mr. Goldman	aye

Vote: 5-0

Date Adopted: 1/4/17

**\*Resolution 2017-4: Mileage**

BE IT RESOLVED mileage at a rate of \$0.535 cents per mile, based on the IRS standard mileage rate, shall be paid to Town Officials and employees for use of their personal vehicles for Town Business and that such mileage shall be reported on the form provided by the Town Clerk.

Moved: Ms. Zahler

Seconded: Mr. Goldman

Ms. Thomas	aye
Ms. Zahler	aye
Mr. Hertzler	aye
Mr. Boggs	aye
Mr. Goldman	aye

Vote: 5-0

Date Adopted: 1/4/17

**\*Resolution 2017-5: Petty Cash**

BE IT RESOLVED that the Town Clerk and the Court Clerk's petty cash funds are each \$300 for 2017.

Moved: Ms. Zahler

Seconded: Mr. Goldman

Ms. Thomas	aye
Ms. Zahler	aye
Mr. Hertzler	aye
Mr. Boggs	aye
Mr. Goldman	aye

Vote: 5-0

Date Adopted: 1/4/17

**\*Resolution 2017-6: Crime Coverage**

BE IT RESOLVED that the following crime coverage through NYMIR for Town officials, appointees and employees is hereby approved:

Money inside premises \$100,000 (\$1,000 deductible)  
Money outside premises \$100,000 (\$1,000 deductible)

Forgery and alteration \$100,000 (\$1,000 deductible)  
Employee Theft - Per Loss \$50,000 (\$2,500 deductible)

Excess Coverage:

Deputy Supervisor \$650,000  
Supervisor \$650,000  
Tax Collector/Town Clerk \$650,000  
Deputy Town Clerk \$650,000  
Bookkeeper \$650,000  
Includes Faithful Performance

Moved: Ms. Thomas                      Seconded: Ms. Zahler

Ms. Thomas            aye  
Ms. Zahler            aye  
Mr. Hertzler           aye  
Mr. Boggs            aye  
Mr. Goldman          aye

Vote: 5-0  
Date Adopted: 1/4/17

**\*Resolution 2017-7: Financial Report**

BE IT RESOLVED that an annual financial report be presented to the Town Clerk within 30 days of the end of the fiscal year as required by Town Law Section 29(10). In lieu of the financial report, the Supervisor is hereby authorized to submit to the Town Clerk, within 60 days after the close of the fiscal year, a copy of the annual update document (AUD) to the State Comptroller, and that the Town Clerk shall cause a summary thereof to be published in accordance with the law (Town Law Section 29(10-a)). If the state comptroller approves a 60 day extension of the AUD, the Supervisor's time for filing a copy of the AUD with the Town Clerk is also extended.

Moved: Mr. Goldman                      Seconded: Mr. Boggs

Ms. Thomas            aye  
Ms. Zahler            aye  
Mr. Hertzler           aye  
Mr. Boggs            aye  
Mr. Goldman          aye

Vote: 5-0  
Date Adopted: 1/4/17

**\*Resolution 2017-8: Financial Reconciliations**

BE IT RESOLVED the Town follow the 2013 recommendation of auditor Insero and Company to have the Supervisor or Bookkeeper review the reconciliation of the Town Clerk's bank statements and the Town Clerk's office review the reconciliation of the Supervisor's bank statements in order to safeguard the town's finances at least quarterly. The results shall be reported at least month following the end of the calendar quarter to the town board.

Moved: Ms. Zahler                      Seconded: Mr. Hertzler

Ms. Thomas            aye

Ms. Zahler            aye  
Mr. Hertzler        aye  
Mr. Boggs           aye  
Mr. Goldman        aye

Vote: 5-0

Date Adopted: 1/4/17

**\*Resolution 2017-9: Financial Institutions**

BE IT RESOLVED the Tompkins Trust Company is designated as depository in which the Supervisor, Town Clerk, Justices, and other employees by virtue of their offices, shall deposit all monies coming into their hands and,

FURTHER RESOLVED the Town investments can be made at other banks and institutions as outlined in the Towns investment policy. The Town investment policy shall be reviewed and approved by the Town Board during the year and revised as necessary.

Moved: Ms. Zahler

Seconded: Mr. Hertzler

Ms. Thomas        aye  
Ms. Zahler        aye  
Mr. Hertzler       aye  
Mr. Boggs        aye  
Mr. Goldman       aye

Vote: 5-0

Date Adopted: 1/4/17

**\*Resolution 2017-10: Financial Audit**

BE IT RESOLVED that the Town Board of Ulysses will contract with Insero and Company to perform an audit of the 2016 financials.

Moved: Ms. Zahler

Seconded: Mr. Hertzler

Ms. Thomas        aye  
Ms. Zahler        aye  
Mr. Hertzler       aye  
Mr. Boggs        aye  
Mr. Goldman       aye

Vote: 5-0

Date Adopted: 1/4/17

**\*Resolution 2017-11: Procurement Policy**

BE IT RESOLVED that the Town Procurement policy as adopted on November 17, 2010 is the ruling document for purchases.

Moved: Ms. Zahler

Seconded: Mr. Hertzler

Ms. Thomas        aye  
Ms. Zahler        aye  
Mr. Hertzler       aye

Mr. Boggs            aye  
Mr. Goldman        aye

Vote: 5-0

Date Adopted: 1/4/17

**\*Resolution 2017-12: Establishment of Pay Periods and Salaries**

BE IT RESOLVED the Town Board hereby establishes the following payroll periods:

**Bi-weekly:**

Town Supervisor, Highway Superintendent, Town Clerk, Justices, Deputy Town Clerk, Deputy Highway Superintendent, Deputy Supervisor, Highway Department Staff, Bookkeeper, Code Enforcement Officer, Zoning Officer, Planning and Zoning Staff, Court Clerk, Temporary student and other employees, part-time Clerical, Administrative, and Support staff, Water Department staff

**Monthly:** Councilpersons

**Annually:** Historian, Planning Board, Board of Zoning Appeals

Moved: Mr. Hertzler                      Seconded: Mr. Boggs

Ms. Thomas            aye  
Ms. Zahler            aye  
Mr. Hertzler            aye  
Mr. Boggs            aye  
Mr. Goldman           aye

Vote: 5-0

Date Adopted: 1/4/17

**\*Resolution 2017-13: Pay Rates**

BE IT RESOLVED that the Town Board hereby establishes the following pay rates for employees and elected officials in 2016. If necessary to appoint a new employee or replace an elected official during the year of 2016, the Town Board will establish a salary commensurate with the experience and availability of funds:

<b><i>Position</i></b>	<b><i>2017 Budgeted Appropriation</i></b>	<b><i>Hourly rate if applicable</i></b>
<b>Town Board</b>		
Supervisor	17,530	-
Budget Officer	16,213	-
Second Deputy Supervisor		20.91
Bookkeeper		22.00
Councilperson	4,456	-
<b>Clerk</b>		
Town Clerk	52,018	-
Deputy Town Clerk		18.00
<b>Court</b>		
Town Justice	17,270	-
Court Clerk	42,107	-
<b>Planning, Zoning, Building</b>		
Enforcement Officer for Building Code	24,960	-

Deputy Enforcement Officer		20.00
Zoning Officer	29,229	-
Planner	29,229	-
Planning and Zoning Clerk		16.65
Planning and BZA Chairs	225	-
Planning and BZA Members	125	-
<b>Highway</b>		
Highway Superintendent	57,120	-
Deputy Highway Superintendent	-	21.38
Highway Machine Equipment Operator	-	18.50 – 20.90
<b>Water</b>		
MEO/Water/Sewer Maintenance Worker		21.38
Distribution Operator Assistant		TBD upon hire
<b>History</b>		
Historian	1,500	-
<b>Other</b>		
Project Assistant		9.70

Moved: Mr. Hertzler

Seconded: Mr. Boggs

Ms. Thomas        aye  
Ms. Zahler        aye  
Mr. Hertzler       aye  
Mr. Boggs        aye  
Mr. Goldman       aye

Vote: 5-0

Date Adopted: 1/4/17

#### **\*Resolution 2017-14: Time Records**

BE IT RESOLVED all hourly employees shall turn in a Town of Ulysses time card by the end of the last day of the pay period. Salaried employees, and elected officials wishing to participate in the town's benefits programs according to the Personnel Policy shall report time used for vacation, sick time, holiday or other time off on a Town of Ulysses time card to maintain accurate records of benefit time used. No pay will be issued without a time card that has been signed by the employee and employee's supervisor and submitted to the Bookkeeper. If the employee is submitting electronically to the Bookkeeper, the Department Head / Employee Supervisor must give electronic approval as part of the time card submission. Salaried and hourly employees (non-elected) should use this time card to submit sick, vacation, holiday and personal time off. It is the responsibility of the employee's supervisor to assure the time card is accurate.

FURTHER RESOLVED that to maintain accountability of all employees who work for the town, and to clarify supervisory roles, the following listing specifies employee supervisors. Each employee supervisor is responsible for approving time cards (if required), vacation, personal, sick days and compensation time used by each employee. Time off for each employee must be reported to Bookkeeper who will maintain records. Elected officials must have the Town Supervisor or other Town Board member sign their time card.

<b>Employee</b>	<b>Employee Supervisor</b>
Deputy Supervisor	Town Supervisor
Bookkeeper	Town Supervisor
Deputy Town Clerk	Town Clerk

Court Clerk	Town Justices
Enforcement Officer for Building Code	Town Supervisor
Deputy Enforcement Officer	Enforcement Officer
Zoning Officer/Planner	Town Supervisor
Planning and Zoning Clerk	Zoning Officer/Planner
Deputy Highway Superintendent	Highway Superintendent
Highway Machine Equip. Operators	Highway Superintendent
Highway Laborer	Highway Superintendent
Water Dist. & Maintenance Operator	Highway Superintendent
Water District Laborer	Water Dist. and Maintenance Operator
Town Clerk	Town Supervisor or Town Board
Highway Superintendent	Town Supervisor or Town Board
Town Supervisor	Town Board

Moved: Ms. Zahler      Seconded: Mr. Boggs

Ms. Thomas      aye  
Ms. Zahler      aye  
Mr. Hertzler      aye  
Mr. Boggs      aye  
Mr. Goldman      aye

Vote: 5-0

Date Adopted: 1/4/17

**\*Resolution 2017-15: Town Board Member Liaisons**

BE IT RESOLVED that the Town Board makes the following liaison appointments and requests that each appointee report to the Town Board at least annually:

	<b>2016</b>	<b>2017</b>
A. Highway Department	Mr. Boggs	Mr. Boggs
B. Personnel	Ms. Thomas	Ms. Thomas
C. Planning Board and BZA	Mr. Goldman, Ms. Zahler (alternate)	Mr. Goldman, Ms. Zahler (alternate)
D. Fire Department	Mr. Hertzler	Mr. Hertzler
E. Town Court	Ms. Thomas	Ms. Thomas
F. Trumansburg Ulysses Youth Commission	Ms. Zahler	Ms. Zahler
G. Village EMS & EMS Billing Oversight Committee	Mr. Boggs, Ms. Zahler	Mr. Boggs, Ms. Zahler
H. Joint Sidewalk Committee	Ms. Thomas, Ms. Wright	Ms. Thomas, Ms. Wright
I. Zoning Update Committee	Ms. Zahler, Ms. Thomas	Ms. Thomas, Mr. Boggs
J. Agricultural Committee	Ms. Thomas	Ms. Zahler
K. Town Hall Maintenance	Mr. Boggs	Mr. Boggs
L. Sustainability Committee	<i>Vacant</i>	Mr. Hertzler, Mr. Boggs (alternate)
M. Trumansburg Village Board of Trustees	Ms. Zahler	Ms. Zahler

Moved: Mr. Goldman

Seconded: Mr. Boggs

Ms. Thomas      aye  
Ms. Zahler       aye  
Mr. Hertzler     aye  
Mr. Boggs        aye  
Mr. Goldman     aye

Vote: 5-0

Date Adopted: 1/4/17

**\*Resolution 2017-16: Town Board Appointments**

BE IT RESOLVED that the Town Board makes the following appointments and request that each appointee report to the Town Board at least annually:

	<b>2016</b>	<b>2017</b>
TCCOG Emergency Management	Ms. Wright	Ms. Wright
Health Consortium Board	Mr. Hertzler, Ms. Zahler (alternate)	Mr. Goldman, Ms. Zahler (alternate)
Planning Board Chairperson	David Blake	David Blake
Board of Zoning Appeals Chairperson	George Tselekis	George Tselekis
Clerk for Planning Board & Board of Zoning Appeals	Louis DiPietro	Louis DiPietro
Board of Assessment Review	C. Thompson, David Means	C. Thompson, David Means
Tompkins County Environmental Management Council	Mr. Hertzler	Mr. Hertzler
Tompkins County Water Resources Council (WRC)	Bill George & Darby Kiley	Darby Kiley
Tompkins County Stormwater Coalition	Darby Kiley	Darby Kiley
Stormwater Officer	Darby Kiley	Darby Kiley
Trumansburg Ulysses Youth Commission Reps	Sharon Bilotta, Heidi Dawes	Sharon Bilotta, Elizabeth Meg Williams
Recreation Partnership representative	Durand VanDoren Alternate:	Durand VanDoren, Ms. Zahler (alternate)
Tompkins County Youth Services Board	(vacant)	
Ithaca/Tompkins County Transportation Council Planning Committee	Darby Kiley	Darby Kiley
Tompkins County Council of Governments	Ms. Thomas & Ms. Zahler (alternate)	Ms. Thomas & Ms. Zahler (alternate)
Tompkins County Area Development	Mr. Goldman	N/A
Fair Board liaison	Mr. Hertzler	Mr. Hertzler
Historian	John Wertis	John Wertis
Tompkins County Animal Control	Ms. Thomas	Ms. Thomas, Ms. Parlato (alt)
Cayuga Lake Water Shed Intermu. Org.	Mr. Boggs, Darby Kiley	Mr. Boggs, Darby Kiley



Chamber of Commerce	Ms. Zahler/ Mr. Goldman (alternate)	Ms. Zahler/ Mr. Goldman (alternate)
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Moved: Mr. Goldman Seconded: Mr. Boggs

Ms. Thomas aye  
Ms. Zahler aye  
Mr. Hertzler aye  
Mr. Boggs aye  
Mr. Goldman aye

Vote: 5-0

Date Adopted: 1/4/17

### **\*Resolution 2017-17: Planning Board and Board of Zoning Appeals**

BE IT RESOLVED that the Town Board has appointed the following Planning Board and Board of Zoning Appeals with staggered annual appointments. Members whose terms expire in 2016 may be either replaced or reappointed. The following members being reappointed for 2017:

<b>ZONING BOARD OF APPEALS</b> (5 year terms)				
<i>Name/phone/email</i>	<i>Address</i>	<i>Date Appointed</i>	<i>Date of Oath</i>	<i>Term Expiration</i>
GEORGE TSELEKIS, Chair Phone: 272-1808 <a href="mailto:GTSELEK1@twcny.rr.com">GTSELEK1@twcny.rr.com</a>	1575 Trumansburg Road Ithaca, NY 14850	1/3/2013	2/16/2013	12/31/2017
ROBERT HOWARTH Phone: 387-3318 <a href="mailto:howarth@cornell.edu">howarth@cornell.edu</a>	4124 Reynolds road Trumansburg NY 14886	1/7/2015	2/18/2015	12/31/2019
STEPHEN MORREALE Phone: 387-3816 <a href="mailto:Sjm11@cornell.edu">Sjm11@cornell.edu</a>	5360 Pine Ridge Road Trumansburg NY 14886	12/9/2014	1/28/2015	12/31/2020
DAVID MEANS Phone: 387-5011 <a href="mailto:popmeans@yahoo.com">popmeans@yahoo.com</a>	26 Prospect St. Trumansburg NY 14886	1/4/17	1/12/2017	12/31/2021
ANDREW HILLMAN Phone: 351-7085 <a href="mailto:andrew.hillman@davey.com">andrew.hillman@davey.com</a>	3315 Swamp College Road Trumansburg NY 14886	1/28/2015	2/6/2015	12/31/2018
CHERYL THOMPSON (alternate) Phone: 387-4123 <a href="mailto:cherylthompsonarchitect@gmail.com">cherylthompsonarchitect@gmail.com</a>	3112 Perry City Road Trumansburg NY 14886	1/4/17	1/17/17	12/21/2017
<b>PLANNING BOARD</b> (5 year term)				
JOHN WERTIS Phone : 387- 4331 <a href="mailto:BWWFarmtoday@aol.com">BWWFarmtoday@aol.com</a>	8144 Searsburg Rd. Trumansburg, NY 14886	12/9/2014	1/8/2015	12/31/2019
DAVID TYLER Phone : 387-3484 <a href="mailto:datyler123@gmail.com">datyler123@gmail.com</a>	5396 Rice Rd., Trumansburg NY 14886	1/12/2016	2/3/2016	12/31/2020

SARA WORDEN Phone : 379-2866 <a href="mailto:sara.e.worden@gmail.com">sara.e.worden@gmail.com</a>	6273 Curry Rd., Trumansburg NY 14886 379-2866	2/23/2016	1/19/2017	12/31/2017
DAVID BLAKE, Chair Phone : 387-5428 <a href="mailto:Davidblake73@gmail.com">Davidblake73@gmail.com</a>	2057 Trumansburg Rd Trumansburg NY 14886	1/4/17	1/4/2017	12/31/2021
REBECCA SCHNEIDER Phone : (607)387-3816 <a href="mailto:rls11@cornell.edu">rls11@cornell.edu</a>	5630 Pine Ridge Rd Trumansburg, NY 14886	9/1/2015	9/1/2015	12/31/2018
BEN LEWALTER (alternate) 351-0484 <a href="mailto:lewalterdesign@gmail.com">lewalterdesign@gmail.com</a>	5360 Rice Rd., Trumansburg NY 14886	1/4/17	1/30/17	12/31/17
LOUIS DIPIETRO (Clerk) Phone: (716)307-2096 <a href="mailto:Dipietro.louis@gmail.com">Dipietro.louis@gmail.com</a>	88 W. Main St. Trumansburg NY 14886	1/4/17	1/27/17	12/31/17
Darby Kiley, Environmental Planner/Zoning Officer <a href="mailto:Ulysses.planner@gmail.com">Ulysses.planner@gmail.com</a>		N/A	N/A	N/A

Moved: Ms. Zahler      Seconded: Mr. Boggs

Ms. Thomas      aye  
Ms. Zahler      aye  
Mr. Hertzler      aye  
Mr. Boggs      aye  
Mr. Goldman      aye

Vote: 5-0  
Date Adopted: 1/4/17

**\*Resolution 2017-18: Attorney**

BE IT RESOLVED that the Attorney for the Town be Mariette Geldenhuys, Esq. and that she and her associates be consulted in accordance with the Retainer Agreement with the Town of Ulysses signed April 20, 2009 and

Further Resolved that the 2017 Addendum to Retainer Agreement which sets hourly fees for billing at \$210 (Attorney) and \$135 (Paralegals) is adopted. All other provisions for the 2009 Retainer Agreement shall remain in full force and effect subject to revision.

Further Resolved that the Town Board authorizes the Town Supervisor to sign the Addendum to the Retainer Agreement for 2017 and ancillary retainers with attorneys who are subcontracting with Mariette Geldenhuys

Moved: Mr. Goldman      Seconded: Mr. Hertzler

Ms. Thomas      aye  
Ms. Zahler      aye  
Mr. Hertzler      aye  
Mr. Boggs      aye  
Mr. Goldman      aye

Vote: 5-0  
Date Adopted: 1/4/17

**\*Resolution 2017-19: Information Tech Services**

BE IT RESOLVED that the Town Board authorizes the Town Supervisor to sign the Information Technologies 2017 contract with Jeff Burns at the rate of \$45/hour and Pushlar Consulting for \$80/hour.

Moved: Mr. Goldman      Seconded: Mr. Hertzler

Ms. Thomas      aye  
Ms. Zahler      aye  
Mr. Hertzler      aye  
Mr. Boggs      aye  
Mr. Goldman      aye

Vote: 5-0

Date Adopted: 1/4/17

**\*Resolution 2017-20: Cleaning (TABLED)**

BE IT RESOLVED that the Town of Ulysses enter into a cleaning contract between the Town of Ulysses and \_\_\_\_\_ for the purpose of cleaning the town hall on a weekly basis for a period from January 1<sup>st</sup> through December 31<sup>st</sup> in the amount of \$\_\_\_\_\_ per month.

TABLED

**\*Resolution 2017-21: Maintenance**

BE IT RESOLVED that the Town Board authorizes the Town Supervisor to sign the Town Hall maintenance contract with Mainstay Builders, LLC at a rate of \$42.50/hour for carpentry and \$65/hour for mechanicals as specified in the 2017 contract.

Moved: Mr. Goldman      Seconded: Mr. Boggs

Ms. Thomas      aye  
Ms. Zahler      aye  
Mr. Hertzler      aye  
Mr. Boggs      aye  
Mr. Goldman      aye

Vote: 5-0

Date Adopted: 1/4/17

**\*Resolution 2017-22: Policies**

BE IT RESOLVED that the Town of Ulysses has adopted policies for a Code of Ethics, Personnel and Benefits, Procurement, Claims, Meeting Rules and Procedures, Investment, Alcohol and Controlled Substance Testing, Planning Board and Zoning Board Attendance and Training, and Emergency Preparedness. The Town Clerk shall provide to each newly elected official and to any other elected or appointed official or employee these policies, and any other planning documents or local laws upon request and these documents shall be also be maintained on the internal part of the town website. Each employee and elected or appointed official shall sign the Code of Ethics form within a month of taking office to document that they have reviewed and understand the policy.

Moved: Mr. Goldman      Seconded: Mr. Boggs

Ms. Thomas      aye

Ms. Zahler            aye  
Mr. Hertzler        aye  
Mr. Boggs           aye  
Mr. Goldman        aye

Vote: 5-0  
Date Adopted: 1/4/17

**\*Resolution 2017-23: Americans With Disabilities Act (ADA)**

BE IT RESOLVED any individual having any special needs and wishing to attend a meeting advise the Town Clerk of the special requirements at least one week prior to the meeting.

Moved: Mr. Goldman                      Seconded: Mr. Boggs

Ms. Thomas           aye  
Ms. Zahler            aye  
Mr. Hertzler        aye  
Mr. Boggs            aye  
Mr. Goldman        aye

Vote: 5-0  
Date Adopted: 1/4/17

**\*Resolution 2017-24: Records Management Officer**

BE IT RESOLVED that the Town of Ulysses appoints the Town Clerk, Carissa Parlato as Records Management Officer with the backup Records Management Officer of Sarah Koski.

Moved: Mr. Goldman                      Seconded: Mr. Boggs

Ms. Thomas           aye  
Ms. Zahler            aye  
Mr. Hertzler        aye  
Mr. Boggs            aye  
Mr. Goldman        aye

Vote: 5-0  
Date Adopted: 1/4/17

**\*Resolution 2017-25: Gifts**

BE IT RESOLVED that in accordance with the New York State Constitutional prohibition against gifts by municipalities as described in Article III, Section 1, the Town of Ulysses will not give donations, or other gifts of recognition for service (retirement, annual appreciation, or otherwise) to any organizations, volunteers, or other individuals in the employment of the Town or otherwise providing service to the Town or the community. The Town may, however, hold recognition events and provide refreshments.

Moved: Mr. Goldman                      Seconded: Mr. Boggs

Ms. Thomas           aye  
Ms. Zahler            aye  
Mr. Hertzler        aye  
Mr. Boggs            aye

Mr. Goldman        aye

Vote: 5-0

Date Adopted: 1/4/17

**\*Resolution 2017-26: Approval of the Medicare Plan**

WHEREAS the Town of Ulysses Personnel Policy states that Medicare eligible employees and retirees may be entitled to a Medicare Supplemental plan

AND WHEREAS the Town Board will determine that plan on an annual basis

THEREFORE BE IT RESOLVED that the Town Board names Excellus Medicare Blue PPO Small Group Option 2 (PPO) as the plan for the 2017 year.

Moved: Mr. Goldman

Seconded: Mr. Boggs

Ms. Thomas        aye

Ms. Zahler        aye

Mr. Hertzler       aye

Mr. Boggs        aye

Mr. Goldman       aye

Vote: 5-0

Date Adopted: 1/4/17

**\*Resolution 2017-27: Highway- Shared Service Agreements**

WHEREAS, Highway Law #142-d allows co-operative agreements for highway services and sharing of labor, equipment and supplies; and

WHEREAS, General Municipal Law Article 5-G allows and encourages municipal co-operations, by joint or contract basis, performance of powers and duties among themselves; and

WHEREAS, it is deemed beneficial to the Town of Ulysses to allow for shared highway agreements of equipment and services with other nearby municipal highway departments;

NOW THEREFORE BE IT RESOLVED that the Ulysses Town Board authorizes the Town Supervisor pursuant to Highway Law #283 to enter into agreements for shared services and equipment with other municipalities and authorize, within existing budget constraints, the Town's Highway Superintendent pursuant to Highway Law #284 to take such action to implement said agreements consistent with Town highway needs and availability, and maintain sufficient liability coverage to protect the town in such joint efforts.

Moved: Mr. Goldman

Seconded: Mr. Boggs

Ms. Thomas        aye

Ms. Zahler        aye

Mr. Hertzler       aye

Mr. Boggs        aye

Mr. Goldman       aye

Vote: 5-0

Date Adopted: 1/4/17

**\*Resolution 2017-28: Payment of Contracts**

WHEREAS the Town Board has budgeted funds for services, therefore be it

RESOLVED, that the Town Board authorizes the Town Supervisor to sign contracts and make payments in 2017 for the following services

<b>Entity</b>	<b>Estimated Contract Amount for 2017</b>	<b>Contract not to Exceed Amount for 2017</b>
American Legion (Assistance for Veterans)	\$475	\$500
BAS software annual agreement for water billing and clerk program	\$485	Up to \$525
Cemetery Mowing	\$2,700	\$3,500
Community Science Institute	\$5,832	\$6000
Cooperative Extension (Youth Programming)	\$45,491	\$48,000
Engineering - MRB	See rate schedule	Not to exceed rate schedule.
Foodnet	\$2,250	\$2,500
Gadabout	\$2,000	\$2,500
General Code	\$1195	\$2000
Insero	\$5500	\$6000
Landscaping	By the hour	\$3500
Lifelong	\$1000	\$1000
Ulysses Historical Society	\$700	\$750
Stormwater Coalition	\$900	\$1000
Trumansburg Senior Citizens	\$850	\$850
Tompkins County Recreation Partnership	\$7,124	\$8,000
Tompkins County Animal Control	\$18,134	\$19,000
Trumansburg Conservatory of Fine Arts	\$1,500	\$1,500
Town Hall – Mainstay - Plumbing, electric and heating		(See Resolution # 2017-21)
Tompkins County Soil & Water	\$50/hr	\$52/hr
Utilities – electric and gas contract		No contract
Ulysses Philomathic Library	\$16,000	\$16,000
Williamson Law – Accounting Software	\$998	\$1,200
Williamson Law Book- Tax Glance software program	\$125	Up to \$200
Village of Trumansburg Police Contract	\$0	\$0
Winterfest	\$1,000	\$1,000

Moved: Mr. Goldman

Seconded: Mr. Boggs

Ms. Thomas        aye  
Ms. Zahler        aye  
Mr. Hertzler       aye  
Mr. Boggs         aye  
Mr. Goldman       aye

Vote: 5-0

Date Adopted: 1/4/17

**\*Resolution 2017-29: Approval of 2017 Fee Schedule**

RESOLVED that the Town Board approves the following fees for 2017:

**PLANNING & ZONING:**

<b>ZONING:</b>		<b>reference</b>
Development District	\$250 + costs	Res. 2007-36
Re-zoning	\$250 + costs	Res. 2007-36
<b>BOARD OF ZONING APPEALS:</b>		<b>reference</b>
Variance	\$150. (includes legal ad)	LL 2 of 2015
<b>PLANNING BOARD:</b>		
Subdivison- Simple	\$50.00	Res. 2007-36
Subdivison- Minor (3 lots)	\$150.00	Res. 2007-36
Subdivison- Major (4 or more lots)	\$300.00	Res. 2007-36
Site Plan Review- Residential	\$100 + costs	LL 2 of 2015
Site Plan Review- Commercial	\$200. + costs	LL 2 of 2015
Site Plan requiring Special Permit	\$250.00	LL 2 of 2015
<b>OTHER PLANNING &amp; ZONING:</b>		<b>reference</b>
SWPPP Review 3	\$100+ engineering and Soil & Water Conservation Service Fees	Res. 2007-36
Copies of Comprehensive Plan, Zoning Local Law, Farmland Protection Plan, etc.	\$25/copy	LL 2 of 2015
SWPPP Review 3	\$100+ engineering and Soil & Water Conservation Service Fees	Res. 2007-36

**BUILDING/CODE:**

<b>OPERATING PERMITS</b>		<b>fee</b>	<b>reference</b>
Operating Permit		\$75.00	LL 2 of 2015
Fireworks display		\$150.00	Res. 8/18/10
Special Event Operating Permit		\$50.00	LL 1 of 2010
<b>BUILDING PERMITS</b>		<b>fee</b>	<b>reference</b>
1 & 2 Family Residences, includes finished basements		\$.30/sq ft	Res. 2016-74
Multiple dwelling/Multi-residential		\$225 + \$3/K	Res. 2007-36
Commercial bldgs., bridges, tanks, and towers		\$425 + \$4/K	Res. 2007-36
Alterations, renovations, additions, pools		\$75 + 3/K	LL 2 of 2015
Accessory Building- separate from a main building		\$55 + \$3/K	Res. 2007-36
Accessory Building – attached to 1& 2 family residences		\$0.15/sq. ft.	Res. 2016-74
Building Permit Renewal		Half existing building permit fee.	Res. 2016-64
Solar, wind or alt. energy permit- RESIDENTIAL		\$75.00	LL 3 of 2015
Solar, wind or alt. energy permit- COMMERCIAL		\$75 + 3/K	LL 3 of 2015
Sign permit		\$50.00	LL 2 of 2015
Woodstove or heating unit		\$50.00	LL 2 of 2015
Demolition		\$2/K (\$65 min)	Res. 2007-36

**CLERK:**

<b>DOG FEES:</b>		<b>reference</b>
Dog license/renewal (spayed/neutered)	\$13.50	Res. 12/14/10 (LL3 of 2010)
Dog license/renewal (not spayed/neutered)	\$20.50	Res. 12/14/10 (LL3 of 2010)

New dog tag	\$3.00	Res. 12/14/10 (LL3 of 2010)
Purebred license (5-20 purebred dogs)	\$100.00	Res. 12/14/10 (LL3 of 2010)
Purebred license (21 or more purebred dogs)	\$200.00	Res. 12/14/10 (LL3 of 2010)
Dog impoundment fee	\$30.00	Res. 12/14/10 (LL3 of 2010)
Dog enumeration fee	\$5.00	Res. 12/14/10 (LL3 of 2010)
<b>OTHER FEES:</b>		<b>reference</b>
Certified Copy of Marriage Certificate	\$10.00	set by NYS
Marriage license	\$40.00	LL1 of 1980
Games of Chance license	\$50.00	set by NYS
Hunting Licenses	<i>(varies by license)</i>	set by NYS
Handicap Parking	<i>no fee</i>	set by NYS
Returned check fee	\$20.00	The maximum allowed by NYS

#### **WATER:**

<b>PERMITS:</b>		<b>reference</b>
Plumbing permit (up to 5 inspections)	\$240.00	LL 2 of 2015
New contractor registration	\$15.00	Res. 9/15/03
<b>TAPS:</b>		
3/4" Main tap (Standard household tap)	\$183.00	LL 2 of 2015
>3/4" main tap	current cost + 2 hrs. labor	LL 2 of 2015
<b>METERS:</b>		
Meter: 3/4" local (Std. household)	\$108. + 1 hr. labor	LL 2 of 2015
Meter: pit type	\$128. + 1 hr. labor	LL 2 of 2015
Meter: pit type >3/4"	current cost + 2 hrs. labor	LL 2 of 2015
Frosted meter replacement	cost of meter + 1 hr. labor	LL 2 of 2015
<b>BACKFLOW/CROSS CONNECTION:</b>		<b>reference</b>
Annual backflow admin fee	\$32/first device; \$16/additional	Based on contract with Bolton Point
Backflow application review	\$80.00	Res. 9/15/03
Backflow certification inspection	\$72.00	Based on contract with Bolton Point
Backflow Inspection	\$72.00	Res. 2007-36
<b>WATER SALES:</b>		<b>reference</b>
Water sales	\$6.55/1000 gallons	Based on Town of Ithaca's 2016 water price
Bulk water sales from facility	\$6.55/1000 gallons	Based on Town of Ithaca's 2016 water price

Moved: Mr. Boggs

Seconded: Mr. Goldman

Ms. Thomas      aye  
Ms. Zahler      aye  
Mr. Hertzler      aye  
Mr. Boggs      aye  
Mr. Goldman      aye

Vote: 5-0

Date Adopted: 1/4/17

[\\*Resolution 2017-30: Mandatory Justice Schooling](#)



RESOLVED, that the Justices be authorized to attend training schools during the year and will be reimbursed for approved expenses.

Moved: Mr. Goldman

Seconded: Mr. Boggs

Ms. Thomas	aye
Ms. Zahler	aye
Mr. Hertzler	aye
Mr. Boggs	aye
Mr. Goldman	aye

Vote: 5-0

Date Adopted: 1/4/17

**\*Resolution 2017-31: Vehicle Benefit**

RESOLVED, that because the Highway Superintendent and Water District Operator are on call 24 hours a day, seven days a week, the Ulysses Town Board authorizes the use of town vehicles for travel to and from work, provided they are not used for more than incidental personal use. Mileage should be submitted to the Town Clerk annually.

Moved: Mr. Goldman

Seconded: Mr. Boggs

Ms. Thomas	aye
Ms. Zahler	aye
Mr. Hertzler	aye
Mr. Boggs	aye
Mr. Goldman	aye

Vote: 5-0

Date Adopted: 1/4/17

**\*Resolution 2017-32: Distribution Of Minutes**

RESOLVED that a certified version of the Organizational Meeting minutes be distributed to all employees and elected officials upon completion.

Moved: Mr. Goldman

Seconded: Mr. Boggs

Ms. Thomas	aye
Ms. Zahler	aye
Mr. Hertzler	aye
Mr. Boggs	aye
Mr. Goldman	aye

Vote: 5-0

Date Adopted: 1/4/17

**\*Resolution 2017-33 Appointment Of Don Ellis to SCAC**

BE IT RESOLVED that the Town Board appoints Don Ellis to the Sustainability and Conservation Council.

Moved: Ms. Zahler

Seconded: Ms. Thomas

Ms. Thomas            aye  
Ms. Zahler            aye  
Mr. Hertzler           aye  
Mr. Boggs            aye  
Mr. Goldman           aye

Vote: 5-0  
Date Adopted: 1/4/17

## JANUARY 10<sup>TH</sup>, 2017 TOWN BOARD MEETING

### \*Resolution 2017-34: Approval Of Meeting Agenda

BE IT RESOLVED that the Ulysses Town Board approve the agenda for January 10, 2017 with the addition of an Executive Session to discuss matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person.

Moved: Ms. Zahler                      Seconded: Mr. Goldman

Ms. Thomas            aye  
Ms. Zahler            aye  
Mr. Hertzler           aye  
Mr. Boggs            aye  
Mr. Goldman           aye

Vote: 5-0  
Date Adopted: 1/10/17

### \*Resolution 2017-35: Authorizing Submission Of Preliminary Application To The United States Department Of Agriculture: Rural Development For Potential Project Funding For Water District #3

**WHEREAS**, MRB Group, as authorized by the Town, has completed a Preliminary Engineering Study on disinfection by-products in the water distribution system for Water District #3 (WD #3), providing a recommended water improvement project that generally includes the separation of the water storage tank inlet and outlet and the installation of a Trihalomethane (THM) removal system; and

**WHEREAS**, the Preliminary Engineering Report and the recommended water improvement project has been reviewed and approved by the Tompkins County Health Department; and

**WHEREAS**, the Town has been pursuing funding options for the water improvement project, including submission of the project to the New York State Environmental Facilities Corporation for potential funding; and

**WHEREAS**, the Town authorized the completion of an income survey to identify the Median Household Income (MHI) specifically for WD #3; and

**WHEREAS**, the Town has authorized the completion of the Environmental Review of the water improvement project.

**NOW THEREFORE BE IT**

**RESOLVED**, that the Town Board approves the submission of a Preliminary Funding Application to Rural Development for the water improvement project; and further

**RESOLVED** that the Town Board does hereby authorizes the Supervisor to execute such further documents as may be necessary, desirable, and/or appropriate to effectuate the purpose and intent of the foregoing resolution, and further

RESOLVED that the Town Clerk will provide a certified copy of this resolution to the Town Supervisor to include with the application package.

Moved: Mr. Goldman                      Seconded: Ms. Zahler

Ms. Thomas	aye	
Ms. Zahler	aye	
Mr. Hertzler	aye	
Mr. Boggs		nay
Mr. Goldman	aye	

Vote: 4-1

Date Adopted: 1/10/17

**\*Resolution 2017-36: Meeting Date Changes**

**BE IT RESOLVED** that the Ulysses Town Board changes the date of the Town Board meeting on February 14 to Tuesday February 7.

Moved: Ms. Thomas                      Seconded: Mr. Goldman

Ms. Thomas	aye
Ms. Zahler	aye
Mr. Hertzler	aye
Mr. Boggs	aye
Mr. Goldman	aye

Vote: 5-0

Date Adopted: 1/10/17

**\*Resolution 2017-37: Entering Into Membership In The New York State Municipal Workers' Compensation Alliance Plan**

**WHEREAS** there has been proposed a "NEW YORK STATE MUNICIPAL WORKERS' COMPENSATION ALLIANCE PLAN DOCUMENT" pursuant to Section 50 3-a of the Workers' Compensation Law (hereinafter "the Plan"); and

**WHEREAS** the Town of Ulysses is eligible for membership in the Plan; and

**WHEREAS** the Town of Ulysses has made an independent investigation of the Plan and reviewed the Plan document, and has concluded that it would be in the interests of the Town of Ulysses to participate therein; now, therefore, be it

**RESOLVED** that the Town of Ulysses enter into membership in the Plan pursuant to Section 50 Subdivision 3-a of the Workers' Compensation Law; and be it further

**RESOLVED**, that the Town Supervisor is hereby authorized and instructed to execute the Plan's charter document on behalf of the Town of Ulysses; and be it further

**RESOLVED**, that the custody of all joint Plan moneys by the Plan Administrator under the Plan be and the same hereby is approved; and be it further

**RESOLVED**, that the Town Clerk provide the signed charter document as well as a certified copy of this resolution to the following:

Susan Comerford  
Wright Insurance  
333 Earle Ovington Blvd., Suite 505  
Uniondale, N.Y. 11553-3624

Moved: Ms. Thomas                      Seconded: Ms. Zahler

Ms. Thomas	aye
Ms. Zahler	aye
Mr. Hertzler	aye
Mr. Boggs	aye
Mr. Goldman	aye

Vote: 5-0

Date Adopted: 1/10/17

**\*Resolution 2017-38: Electing To Become Self Insured For Workers' Compensation**

**RESOLVED**, that the Town of Ulysses hereby elects, pursuant to Subdivision 3-a of Section 50 of the Workers' Compensation Law, to become a self-insurer as to Workers' Compensation claims against this Municipality; and be it further

**RESOLVED**, that pursuant to Section 50 Subdivision 3-a of said Workers' Compensation Law, notice of such election shall be filed forthwith with the Chairman of the Workers' Compensation Board, Self-Insurance Section; and be it further

**RESOLVED**, that this election shall become effective immediately; and be it further

**RESOLVED**, that the Town Clerk provide a certified copy of this resolution to the following:

Susan Comerford  
Wright Insurance  
333 Earle Ovington Blvd., Suite 505  
Uniondale, N.Y. 11553-3624

Moved: Ms. Thomas                      Seconded: Mr. Goldman

Ms. Thomas	aye
Ms. Zahler	aye
Mr. Hertzler	aye
Mr. Boggs	aye
Mr. Goldman	aye

Vote: 5-0

Date Adopted: 1/10/17

**\*Resolution 2017-39: Approval Of Minutes: 12/13/16**

BE IT RESOLVED that the Ulysses Town Board approve the minutes of 12/13.

Moved: Mr. Goldman

Seconded: Ms. Zahler

Ms. Thomas	aye
Ms. Zahler	aye
Mr. Hertzler	aye
Mr. Boggs	aye
Mr. Goldman	aye

Vote: 5-0

Date Adopted: 1/10/17

**\*Resolution 2017-40: Approval Of Claims**

BE IT RESOLVED that the Ulysses Town Board approve payment of claims #682-695 in the amount of \$8087.89; claims #696-723, in the amount of \$38,972.77; and claims #1-24 in the amount of \$47,562.53.

Moved: Ms. Thomas

Seconded: Mr. Goldman

Ms. Thomas	aye
Ms. Zahler	aye
Mr. Hertzler	aye
Mr. Boggs	aye
Mr. Goldman	aye

Vote: 5-0

Date Adopted: 1/10/17

**JANUARY 24<sup>TH</sup>, 2017 TOWN BOARD MEETING**

**\*Resolution 2017-41: Approval Of Meeting Agenda**

BE IT RESOLVED that the Ulysses Town Board approve the agenda for January 24, 2017 with the addition of a discussion of a tree grant and an executive session to discuss the acquisition of real property.

Moved: Ms. Thomas

Seconded: Mr. Goldman

Ms. Thomas	aye
Ms. Zahler	aye
Mr. Hertzler	aye
Mr. Boggs	aye
Mr. Goldman	aye

Vote: 5-0

Date Adopted: 1/10/17

**\*Resolution 2017-42: Solar Law Revisions**

**WHEREAS** the Ulysses Conservation and Sustainability Advisory Committee submitted recommendations for changes to the Town of Ulysses Solar Local Law including recommendations for design standards for glare, and **WHEREAS** the Planning Board has worked on three separate large-scale solar installations in the past year and also may have recommendations for changes to the Ulysses Solar Local Law,

Therefore be it

**RESOLVED** that the Ulysses Town Board recommends referring the comments about the Ulysses Solar Local Law from the Ulysses Conservation and Sustainability Advisory Committee (CSAC) to the Ulysses Planning Board for their review and

**RESOLVED** the Ulysses Town Board requests the Ulysses Planning Board deliberate on the recommendations from the CSAC in combination with their own knowledge of the functionality of the Ulysses Solar Local Law to recommend edits to Ulysses Town Board.

Moved: Ms. Thomas      Seconded: Mr. Goldman

Mr. Hertzler asked questions regarding the glare calculations.

Ms. Thomas      aye

Ms. Zahler      aye

Mr. Hertzler      aye

Mr. Boggs      aye

Mr. Goldman      aye

Vote: 5-0

Date Adopted: 1/24/17

**\*Resolution 2017-43: Establishing Lead Agency For Solar Project**

**RESOLVED** that the Ulysses Town Board has no objection to the Ulysses Planning Board's request to establish itself as Lead Agency under the State Environmental Quality Review Act for reviewing the 2 megawatt community solar project proposed by Renovus Energy, Inc. located at 1574 Trumansburg Road.

Moved: Ms. Thomas      Seconded: Ms. Zahler

Mr. Hertzler questioned the location of the farm on a major route and whether glare would be an issue.

Ms. Thomas	aye	
Ms. Zahler	aye	
Mr. Hertzler		nay
Mr. Boggs	aye	
Mr. Goldman	aye	

Vote: 4-1

Date Adopted: 1/24/17

**\*Resolution 2017-44: Authorizing The 2017 Work Plan For The Town Board**

**RESOLVED** that the Ulysses Town Board has set general priorities for their work for the year 2017 according to their Work Plan finalized on 1/24/2017, acknowledging that other topics may emerge throughout the year that may take precedent.

Moved: Ms. Thomas                      Seconded: Ms. Zahler

Ms. Thomas	aye
Ms. Zahler	aye
Mr. Hertzler	aye
Mr. Boggs	aye
Mr. Goldman	aye

Vote: 5-0

Date Adopted: 1/24/17

**\*Resolution 2017-45: Appointment And Salary Of Water District Operator Assistant**

**RESOLVED** that the Ulysses Town Board appoints Dustin VanDerzee to the position of Water District Operator Assistant at the pay rate of \$15.09.

Moved: Ms. Thomas      Seconded: Mr. Hertzler

Ms. Thomas	aye
Ms. Zahler	aye
Mr. Hertzler	aye
Mr. Boggs	aye
Mr. Goldman	aye

Vote: 5-0

Date Adopted: 1/24/17

**\*Resolution 2017-46: Re-Appointment Of Continuing Member To The Agriculture Committee**

**RESOLVED** that the Ulysses Town Board reappoints John Gates to the Agriculture Committee with a term ending 12/31/2019, and

**RESOLVED** the Ulysses Town Clerk's office will contact the returning member to take the oath of office and sign the ethics pledge.

Moved: Ms. Zahler                      Seconded: Mr. Boggs

Ms. Thomas	aye
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Ms. Zahler	aye
Mr. Hertzler	aye
Mr. Boggs	aye
Mr. Goldman	aye

Vote: 5-0

Date Adopted: 1/24/17

**\*Resolution 2017-46: Authorizing CSAC To Submit A Grant**

Resolved that the Ulysses Town Board authorizes members of the Conservation and Sustainability Advisory Committee to prepare a grant application for the Town to submit to the NYS DEC Urban & Community Forestry Grants program for a tree inventory in parts of the Town of Ulysses.

Moved: Ms. Thomas      Seconded: Mr. Boggs

Ms. Thomas	aye
Ms. Zahler	aye
Mr. Hertzler	aye
Mr. Boggs	aye
Mr. Goldman	aye

Vote: 5-0

Date Adopted: 1/24/17

**\*Resolution 2017-47: Approval Of Minutes: 1/4**

BE IT RESOLVED that the Ulysses Town Board approve the minutes of 1/4/17.

Moved: Ms. Thomas      Seconded: Mr. Goldman

Ms. Thomas	aye
Ms. Zahler	aye
Mr. Hertzler	aye
Mr. Boggs	aye
Mr. Goldman	aye

Vote: 5-0

Date Adopted: 1/24/17

**\*Resolution 2017-47: Approval Of Minutes: 1/10**

BE IT RESOLVED that the Ulysses Town Board approve the minutes of 1/10/17. Moved: Ms. Thomas  
Seconded: Mr. Goldman

Ms. Zahler noted that the State of the Village meeting was reported as being on 2/4 but is actually on 2/11.

Ms. Thomas	aye
Ms. Zahler	aye
Mr. Hertzler	aye
Mr. Boggs	aye
Mr. Goldman	aye

Vote: 5-0

Date Adopted: 1/24/17



**\*Resolution 2017-48: Approval Of Budget Modifications**

BE IT RESOLVED that the Ulysses Town Board approve the following budget modifications to the 2016 budget:

A1220.4	Supervisor CE	Increase	\$1,483.93
<i>Increase in payroll processing expenses and accounting software.</i>			
A1010.4	Town Board CE	Decrease	\$1,483.93
<i>Approximately \$400 left after this modification.</i>			

A1220.11	Bookkeeper PS	Increase	\$2,013.44
A1220.12	Deputy Supervisor PS	Decrease	\$2,013.44

A1410.11	Deputy Town Clerk PS	Increase	\$272.00
<i>Slightly more hours than projected.</i>			
A1410.4	Town Clerk CE	Decrease	\$272.00

A5010.1	Highway Superintendent PS	Increase	\$5,505.79
<i>Due to change in Highway Superintendent in the beginning of 2016.</i>			
A-915	Unappropriated Fund Balance	Decrease	\$5,505.79
<i>Estimated over \$300,000 fund balance remaining</i>			

A5132.4	Highway Barn CE	Increase	\$857.91
A5132.2	Highway Barn EQ	Decrease	\$857.91
<i>Approximately \$150 remaining post modification.</i>			

B8010.4	Zoning CE	Increase	\$103.66
B8020.1	Zoning Clerk PS	Decrease	\$103.66

B1440.4	Engineering CE	Increase	\$464.00
<i>Map plan and report for water district 5</i>			
B1990.4	Contingency account	Decrease	\$464.00
B9060.8	Health Insurance	Increase	\$7,089.12
<i>This was due to the change in health benefits provided to a particular employee in the B fund. This extra expense was accounted for during the budgeting season.</i>			
B1990.4	Contingency account	Decrease	\$7,089.12
<i>\$2,446.88 left in contingency post modification</i>			

130.2	Machinery EQ	Increase	\$57,187.80
<i>This is a known over expenditure and was accounted for during the budgeting season with our end of year estimates.</i>			

DA-915	Assigned Unappropriated Fund Balance	Decrease	\$57,187.80
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*This plan (developed during the budget season) allows us to preserve the equipment reserve for future use.*

DA9055.8	Disability Insurance	Increase	\$17.32
DA9060.8	Health Insurance	Decrease	\$17.32

SW3-8330.4	Water Purification Contractual	Increase	\$7,096.36
<i>Additional costs due to TTHM remediation work in water district: engineering work required for funding opportunities. Preliminary engineering report and environmental report for NEPA.</i>			
SW3-915	Assigned Unappropriated Fund Balance	Decrease	\$7,096.36
<i>Funds available.</i>			

Moved: Ms. Thomas

Seconded: Ms. Zahler

Ms. Thomas     aye  
Ms. Zahler     aye  
Mr. Hertzler     aye  
Mr. Boggs     aye  
Mr. Goldman     aye

Vote: 5-0

Date Adopted: 1/24/17

### **FEBRUARY 7th, 2017 TOWN BOARD MEETING**

#### **\*Resolution 2017-49: Approval of Meeting Agenda**

BE IT RESOLVED that the Ulysses Town Board approve the agenda for February 7, 2017 with moving Approval of Claims to the beginning, adding the Unique Natural Area topic up and discussing an audit of the books.

Moved: Ms. Thomas

Seconded: Mr. Goldman

Ms. Thomas     aye  
Ms. Zahler     absent  
Mr. Hertzler     aye  
Mr. Boggs     aye  
Mr. Goldman     aye

Vote: 4-0

Date Adopted: 2/7/17

#### **\*Resolution 2017-50: Approval of Claims**

BE IT RESOLVED that the Ulysses Town Board approve payment of claims #25-87 in the amount of \$642,955.81.

Moved: Ms. Thomas

Seconded: Mr. Goldman

Ms. Thomas     aye  
Ms. Zahler     absent  
Mr. Hertzler     aye

Mr. Boggs                      aye  
Mr. Goldman                  aye

Vote: 4-0  
Date Adopted: 2/7/17

**\*Resolution 2017-51: Contract For Landscape Architects For Town Hall Sidewalk Repairs**

**WHEREAS** the sidewalk in front of town hall is indistinguishable from the road and parking in that area making it a danger to pedestrians, and

**WHEREAS** due to the prevalence of asphalt on both sides of Elm Street which include 3 parking lots, stormwater has no ground in which to percolate, adding to the sedimentation and salinization of Cayuga Lake; and

**WHEREAS** the only tree within the right of way is now dead, but before dying caused the asphalt in the area of what is considered the sidewalk to heave and crack causing a danger to pedestrians; and

**WHEREAS** municipalities are required to keep their sidewalks in a state which is safe for pedestrians; and

**WHEREAS** the town has both capital reserves and building reserves to pay for sidewalk and stormwater improvements in front of town hall, and

**WHEREAS** the Mayor of the Village of Trumansburg is in favor of this repair, and

**WHEREAS** the town staff investigated grant funding for this project; and

**WHEREAS** funding options are available for landscaping, and volunteers are willing to build benches, but there are no state or county funding opportunities for the actual sidewalk or curbing, and

**WHEREAS** this project is expected to benefit from the cost savings of pairing its construction with the large project beginning in May 2017 of replacing sidewalks throughout the town and village, and

**WHEREAS** the Town Supervisor has consulted with three volunteer landscape architects for design ideas, but the actual construction documents are very involved and require more work than they can do on a volunteer basis.

**Therefore be it**

**RESOLVED** that the Ulysses Town Board authorizes the Town Supervisor to sign the contract dated February 1, 2017 from Trowbridge, Wolff, and Michaels to provide a rendering of the project, cost estimates, construction documents, construction specifications, and stamped drawings which are required for the contractor to complete this work, and

**RESOLVED** that the Town clerk will forward the signed contract to Trowbridge, Wolff, and Michaels.

Moved: Ms. Thomas                      Seconded: Mr. Boggs

Ms. Thomas                      aye  
Ms. Zahler                      absent  
Mr. Hertzler                      abstain

Mr. Boggs                      aye  
Mr. Goldman                  aye

Vote: 3-1  
Date Adopted: 2/7/17

**\*Resolution 2017-52: Support Of The Exploration Of Community Choice Aggregation**

**WHEREAS**, the Town of Ulysses is interested in promoting energy efficiency and local renewable energy generation, and also in reducing energy costs for its residents; and

**WHEREAS** the NY State Public Service Commission, in April 2016, authorized the development of Community Choice Aggregation programs, that allows participating local governments to work together through a shared purchasing agreement to procure natural gas and/or electric energy supply on behalf of their residents and small businesses; and

**WHEREAS**, Community Choice Aggregation is a means to provide lower, more stable and predictable energy costs, while also promoting energy efficiency, local renewable energy development and local job growth; and

**WHEREAS**, residents and small businesses that are not interested in participating in CCA energy procurement are able to opt out; and

**WHEREAS**, the Tompkins County Council of Governments (TCCOG) works to identify shared services and procurement opportunities to provide better service and lower costs to our residents; and

**WHEREAS**, TCCOG has established a CCA Advisory Committee made up of elected/appointed officials plus community members to explore CCA and advise interested municipalities on CCA administrative and procurement models, and to search for and recommend a program administrator, and

**WHEREAS**, participation in the TCCOG CCA Committee does not obligate the Town of Ulysses to participating in CCA, (which requires passage of a local law), but rather indicates the Town of Ulysses' interest in exploring the option of CCA,

**Therefore be it**

**RESOLVED**, that Town of Ulysses selects Elizabeth Thomas to serve on the TCCOG CCA Advisory Committee.

Moved: Mr. Goldman                      Seconded: Mr. Hertzler

Ms. Thomas                      aye  
Ms. Zahler                      absent  
Mr. Hertzler                      aye  
Mr. Boggs                      nay  
Mr. Goldman                      aye

Vote: 3-1  
Date Adopted: 2/7/17

**\*Resolution 2017-53: Appointment Of New Member To The Agriculture Committee**

**RESOLVED** that the Ulysses Town Board appoints Mark Ochs to the Agriculture Committee with a term ending 12/31/2019, and

**RESOLVED** the Ulysses Town Clerk's office will contact the new member to take the oath of office and sign the ethics pledge.

Moved: Mr. Hertzler

Seconded: Mr. Goldman

Ms. Thomas	aye
Ms. Zahler	absent
Mr. Hertzler	aye
Mr. Boggs	aye
Mr. Goldman	aye

Vote: 4-0

Date Adopted: 2/7/17

**\*Resolution 2017-54: UNA**

**WHEREAS** Tompkins County has designated numerous Unique Natural Areas throughout the county based on either threatened flora, fauna, viewsheds or their impact on water quality; and

**WHEREAS** Tompkins County has no land use authority to protect the UNAs it has designated that authority resides with the town as part of its right to Home Rule; and

**WHEREAS** parcel number 27.-4-6 at 1284 Taughannock Boulevard is within UNA-62, the Maplewood Glen and Lake Slopes UNA protected for its valuable tree species, some rare or scarce plants, its scenic and aesthetic value along Route 89, and some examples of old growth forest; and

**WHEREAS** Tompkins County states in the UNA description that the biggest threat to this UNA is from logging and residential development; and

**WHEREAS** if this land is sold, it will likely be developed for residential use; and

**WHEREAS** this parcel has steep slopes leading into tributaries to Cayuga lake and protecting UNAs along the lake helps preserve the long-term water quality of the lake; and

**WHEREAS** the newly opened Black Diamond Trail borders this land and will provide a good buffer for the trail and recreational opportunities for residents; and

**WHEREAS** this parcel has been foreclosed and Tompkins County has been paying taxes owed, including taxes to the Town of Ulysses.

**THEREFORE, BE IT**

**RESOLVED** that the Town of Ulysses is interested in negotiating with Tompkins County to acquire parcel 27.-4-6 at 1284 Taughannock Boulevard.

Moved: Ms. Thomas

Seconded: Mr. Boggs

Ms. Thomas	aye
Ms. Zahler	absent

Mr. Hertzler	aye
Mr. Boggs	aye
Mr. Goldman	aye

Vote: 4-0

Date Adopted: 2/7/17

**\*Resolution 2017-55: Authorizing Use Of Funds From The Town Of Ulysses Reserve For Repairs (Sw3-230) To Pay For The Town Of Ulysses Share Of An Aerator Installed In The Town Of Ithaca Water Tank Per Resolution 2016-90**

**WHEREAS**, the Town Board of the Town of Ulysses passed a resolution to pay half, or up to \$57,500, to the Town of Ithaca upon completion of the installation of an aerator in Ithaca's "Trumansburg" tank for the purposes of reducing chlorination by-products in the water it supplies to the Town of Ulysses; and

**WHEREAS**, the Town Board of the Town of Ulysses by resolution adopted on February 11, 2003 established the reserve fund for the purpose of funding water district expenses; and

**WHEREAS**, the Town Board adopted the 2017 budget for the Town on October 25, 2016 and the budget calls for the appropriation of \$57,500 from the Water District 3 Repairs Reserve Fund for the purposes outlined in resolution 2016-90; and

**WHEREAS**, pursuant to General Municipal Law §6-c, an expenditure from the Repairs Reserve Fund requires authorization by the Town Board, and such authorization is subject to a permissive referendum; and

**WHEREAS**, the above-referenced purchase falls within the purposes for which the Capital Equipment Reserve Fund was established;

**NOW, THEREFORE, BE IT**

**RESOLVED** that the Town Board authorizes the following expenditures from the Town of Ulysses Repair Reserve Fund SW3-230 for the purchase of an aerator for the Town of Ithaca's "Trumansburg" Tank; and be it further

**RESOLVED** that, pursuant to General Municipal Law §6-c, this resolution is subject to a permissive referendum

**RESOLVED** that the Town Clerk will submit the required notice of resolution to the required media outlets by February 10, 2017.

Moved: Mr. Hertzler                      Seconded: Ms. Thomas

Ms. Thomas	aye
Ms. Zahler	absent
Mr. Hertzler	aye
Mr. Boggs	aye
Mr. Goldman	aye

Vote: 4-0

Date Adopted: 2/7/17

**\*Resolution 2017-56: Approval Of Minutes: 1/24**

BE IT RESOLVED that the Ulysses Town Board approve the minutes as edited by Ms. Thomas.

Moved: Ms. Thomas                      Seconded: Mr. Goldman

Ms. Thomas	aye
Ms. Zahler	absent
Mr. Hertzler	aye
Mr. Boggs	aye
Mr. Goldman	aye

Vote: 4-0

Date Adopted: 2/7/17

**FEBRUARY 28th, 2017 TOWN BOARD MEETING**

**\*Resolution 2017-57: Approval Of Meeting Agenda**

BE IT RESOLVED that the Ulysses Town Board approve the agenda for February 28, 2017 with the change of removing the PILOT discussion from the agenda.

Moved: Ms. Thomas                      Seconded: Mr. Hertzler

Ms. Thomas	aye
Ms. Zahler	absent
Mr. Hertzler	aye
Mr. Boggs	aye
Mr. Goldman	aye

Vote: 4-0

Date Adopted: 2/28/17

**\*Resolution 2017-58: Authorizing The Town Supervisor To Accept Grant Funds From The New York State Office Of Parks, Recreation And Historic Preservation**

BE IT RESOLVED that the Ulysses Town Board hereby directs and authorizes Town Supervisor Elizabeth Thomas to accept funds from the New York State Office of Parks, Recreation and Historic Preservation in accordance with the provisions of Title 9 of the Environmental Protection Act of 1993, in an amount not to exceed \$57,205, and enter into and execute a project agreement with the State for such financial assistance to the Town of Ulysses for the acquisition of the Salo Drive Preserve property and, if appropriate, a conservation easement/ preservation/public access covenant to the deed of the assisted property.

Moved: Mr. Goldman                      Seconded: Mr. Hertzler

Ms. Thomas	aye
Ms. Zahler	absent
Mr. Hertzler	aye
Mr. Boggs	aye
Mr. Goldman	aye

Vote: 4-0

Date Adopted: 2/28/17

**\*Resolution 2017-59: Establishing Civil Penalties For Violation Of Zoning Laws As Authorized In 212-4 Of The Town Of Ulysses Code**

WHEREAS, the Town Board of the Town of Ulysses ("the Town Board") on December 17, 2013 adopted the Zoning Law of the Town of Ulysses by Local Law no. 3 of 2013, and amended certain provisions thereof by adoption of Local Law no. 2 of 2015; and

WHEREAS, the Zoning Law is set forth in Chapter 212 of the Code of the Town of Ulysses ("the Code"); and

WHEREAS, §212-4 of the Code addresses enforcement of the Zoning Law and penalties for offenses, and §212-4 E provides as follows:

"Civil penalties. In addition to those penalties prescribed by state law, any person who violates any provision of this chapter shall be liable for a civil penalty in an amount determined by resolution of the Town Board for each day or part thereof during which such violation continues. The civil penalties provided by this subsection shall be recoverable in an action instituted in the name of this Town."

NOW, THEREFORE, pursuant to the provisions of §212-4 E of the Code, be it

RESOLVED that the amount of the civil penalties for violation of the Zoning Law shall be no less than \$100 per day and no greater than \$250 per day for each day or part thereof during which the violation continues.

Moved: Mr. Hertzler

Seconded: Mr. Boggs

Ms. Thomas	aye
Ms. Zahler	absent
Mr. Hertzler	aye
Mr. Boggs	aye
Mr. Goldman	aye

Vote: 4-0

Date Adopted: 2/28/17

**\*Resolution 2017-60: Approval Of Minutes: 2/7**

BE IT RESOLVED that the Ulysses Town Board approve the minutes of 2/7.

Moved: Mr. Goldman

Seconded: Mr. Boggs

Ms. Thomas	aye
Ms. Zahler	absent
Mr. Hertzler	aye
Mr. Boggs	aye
Mr. Goldman	aye



Vote: 4-0

Date Adopted: 2/28/17

### MARCH 22nd, 2017 TOWN BOARD MEETING

#### \*Resolution 2017-61: Approval Of Meeting Agenda

BE IT RESOLVED that the Ulysses Town Board approve the agenda for March 22, 2017 with the additions of items 6f, 6g, a meeting date discussion and executive session for acquisition of property.

Moved: Ms. Thomas

Seconded: Mr. Hertzler

Ms. Thomas	aye
Ms. Zahler	aye
Mr. Hertzler	aye
Mr. Boggs	absent
Mr. Goldman	aye

Vote: 4-0

Date Adopted: 3/22/17

#### \*Resolution 2017-62: Engaging A Financial Advisor For Repairs To Water District 3

**WHEREAS** the Town of Ulysses requested proposals for municipal financial consulting services from four firms specializing in municipal financing to assist with funding needed to assure Water District 3 water quality meets EPA standards for chlorination by-products; and

**WHEREAS** the RFP was mailed on January 12, 2017; and

**WHEREAS** two proposals were received,

**Therefore, Be It**

**RESOLVED** that based on price and recommendations, the Town of Ulysses Town Board authorizes the Town Supervisor to enter into a contract with Municipal Solutions, Inc. for the purposes of assisting with municipal funding needs for Water District 3 remediation of chlorination by-products as required by the Tompkins County Department of Health and the United States Environmental Protection Agency, and further

**RESOLVED** that the Town Clerk will provide the Municipal Solutions and the Ulysses Town Supervisor with a certified copy of this resolution.

Moved: Ms. Thomas

Seconded: Ms. Zahler

Ms. Thomas	aye
Ms. Zahler	aye
Mr. Hertzler	aye
Mr. Boggs	absent
Mr. Goldman	aye

Vote: 4-0

Date Adopted: 3/22/17

#### \*Resolution 2017-63: Support Of Tompkins County Resolution To Maintain A Safe, Inclusive

## Government And Ensure Protection, Order, Conduct, Safety, Health, And Well-Being Of All Persons In Tompkins County

**RESOLVED** that the Town of Ulysses supports attached the Tompkins County resolution 2017-21 to maintain a safe, inclusive government and ensure protection, order, conduct, safety, health, and well-being of all persons in Tompkins County, and further

**RESOLVED** a certified copy of this resolution accompanied by the Tompkins County resolution be sent by the Ulysses Town Clerk to Congressman Tom Reed, Senator Charles Schumer, Senator Kirsten Gillibrand, Majority and Minority Leaders of the Senate and House of Representatives, United States Secretary of Health and Human Services, President Donald Trump, and New York State Governor Andrew Cuomo, Chair of the Tompkins County Legislature, Mike Lane and to the Tompkins County Council of Governments.

Moved: Ms. Thomas

Seconded: Mr. Goldman

Ms. Thomas	aye
Ms. Zahler	aye
Mr. Hertzler	aye
Mr. Boggs	absent
Mr. Goldman	aye

Vote: 4-0

Date Adopted: 3/22/17

## \*Resolution 2017-64: Recognition Of Leadership By Local Governments In Shared Services Initiatives And The Loss Of State Aid Over The Past Three Decades

**WHEREAS**, in an effort to reduce property taxes Governor Cuomo has proposed a local government efficiency program that would require county and local governments to devise a shared services plan to be placed on the ballot in November, and

**WHEREAS** State of New York currently maintains a property tax cap as an incentive to local governments to share services and reduce budgets, and

**WHEREAS**, unfunded mandates from the State of New York comprise a large component of local budgets over which local municipalities have no ability to reduce, and

**WHEREAS**, the New York State legislature since 1989 has annually exempted itself from providing municipalities with the full amount of state aid as prescribed by law, and

**WHEREAS**, New York State Comptroller, Tom DiNapoli in his 2016 Report on Local Governments states that, Sales tax revenue growth outside of New York City has been slowing for the last few years. In addition, State revenue sharing aid for municipalities has remained flat and the State's tax cap and tax freeze initiatives have continued to put pressure on governments to contain growth in property tax levies, and

**WHEREAS**, the Town of Ulysses, a municipality located in Tompkins County, NY, has worked cooperatively with other municipalities in cost reduction and shared services initiatives through programs such as the Greater Tompkins County Municipal Health Insurance Consortium, the Joint Youth Commission, the Recreation Partnership, and Tompkins County Animal Control. And

**WHEREAS** large impediments exist for consolidating services such as police, fire, and highway departments, and

**WHEREAS** the Town of Ulysses continues to explore shared services in areas of administration, courts, human resources and municipal consolidation with neighboring municipalities;

**THEREFORE BE IT**

**RESOLVED**, that the Town of Ulysses condemns Governor Andrew Cuomo's characterization that high property taxes in the State of New York are indicative of a failure on the part of local government; AND FURTHER

**RESOLVED**, that we call on the New York State Legislature to fully restore state aid to municipalities as required by law and to fully repay unpaid aid for which it has exempted itself since 1989; and further **RESOLVED**, that while the Town of Ulysses affirms the importance of, and will continue to be a leader in, developing shared services and engaging in cost reduction measures, we condemn the Governor's proposed initiative as a further infringement on local government and home rule; and further **RESOLVED**, that copies of this resolution shall be sent to Governor Andrew Cuomo; Senator James Seward; Assemblyperson Barbara Lifton; Tompkins County Administrator Joe Mareane; Tompkins County Legislature Chair Mike Lane; Legislator Jim Dennis; and to the Clerk for the Tompkins County Council of Governments to distribute.

Moved: Ms. Thomas

Seconded: Mr. Goldman

Ms. Thomas	aye
Ms. Zahler	aye
Mr. Hertzler	aye
Mr. Boggs	absent
Mr. Goldman	aye

Vote: 4-0

Date Adopted: 3/22/17

#### **\*Resolution 2017-65: Support For Maintaining The Affordable Care Act**

**WHEREAS**, the Town of Ulysses stands firmly committed to affordable and inclusive access to excellent health care for all of the County's residents, and

**WHEREAS**, the Affordable Care Act (ACA) has both provided expanded access to and improved health care for many of Ulysses residents in Tompkins County, and

**WHEREAS**, Governor Cuomo estimates that repeal of the ACA would put the health insurance and health care of almost 8,000 of Tompkins County's residents at risk, and

**WHEREAS**, many features of the ACA-such as prohibiting lifetime benefit caps, prohibiting gender discrimination, provision of care regardless of pre-existing conditions, and provision of benefits to children up to age 26 on their parents' policies-benefit all Americans, including those whose insurance is not purchased on the exchanges, and

**WHEREAS**, Governor Cuomo estimates that repeal of the ACA would cut Federal reimbursement for Tompkins County's Medicaid expenditures by over one million dollars, and

**WHEREAS**, repeal of the ACA would significantly increase the property tax burdens of Town of Ulysses and other Tompkins County residents, and

**WHEREAS**, repeal of the ACA would prevent Medicaid recipients from accessing health care from Planned Parenthood, leaving thousands of women and men without access to basic primary care, and

**WHEREAS**, repeal of the ACA would take away preventive services from Medicare recipients and reinstate the prescription drug "doughnut hole", therefore costing seniors thousands more each year, and

**WHEREAS**, according to the nonpartisan Congressional Budget Office, the ACA has helped reduce the country's deficit and extended the future solvency of Medicare, and repeal of the ACA would reverse those positive fiscal trends, now therefore be it

**RESOLVED**, that the Town of Ulysses stands with Tompkins County to call on its representatives in Washington, Congressman Tom Reed, Senator Charles Schumer, and Senator Kirsten Gillibrand, to vote against any repeal of the Affordable Care Act unless and until it is replaced by another nationwide alternative with protections for the public commensurate with the goals of the ACA, or a single-payer health insurance program that is adopted only following an extensive public review and comment period,

**RESOLVED**, further, That the Ulysses Clerk send copies of this resolution to Congressman Tom Reed, Senator Charles Schumer, Senator Kirsten Gillibrand, Majority and Minority Leaders of the Senate and House of Representatives, United States Secretary of Health and Human Services, President Donald Trump, and New York State Governor Andrew Cuomo, Chair of the Tompkins County Legislature, Mike Lane.

**SEQR ACTION: TYPE II-20**

Moved: Ms. Thomas

Seconded: Mr. Goldman

Ms. Thomas	aye
Ms. Zahler	aye
Mr. Hertzler	aye
Mr. Boggs	absent
Mr. Goldman	aye

Vote: 4-0

Date Adopted: 3/22/17

**\*Resolution 2017-66: Declaring April 7, 2017 As A Day To Recognize The Bicentennial Of Tompkins County**

**BE IT RESOLVED** that the Town of Ulysses recognizes the bicentennial of Tompkins County on April 7, 2017, and declares it as a Toast to Tompkins Day.

**RESOLVED** that the Town Clerk will notify the Town Historian of this resolution.

Ms. Zahler thanked Mr. Wertis for his work on this.

Moved: Ms. Thomas

Seconded: Ms. Zahler

Ms. Thomas	aye
Ms. Zahler	aye
Mr. Hertzler	aye
Mr. Boggs	absent
Mr. Goldman	aye

Vote: 4-0

Date Adopted: 3/22/17

**\*Resolution 2017-67: Appointing Member Of The Sustainability And Conservation Advisory Committee**

**BE IT RESOLVED** that the Town Board of the Town of Ulysses appoints David Diaz to the Sustainability and Conservation Advisory Committee for an annually renewed term ending on 12/31/2017, and further

**RESOLVED** that the Town Clerk will notify the new member and copy both the Chair of the Sustainability and Conservation Advisory Committee and the Town Supervisor.

Moved: Ms. Thomas                      Seconded: Mr. Hertzler

Ms. Thomas	aye
Ms. Zahler	aye
Mr. Hertzler	aye
Mr. Boggs	absent
Mr. Goldman	aye

Vote: 4-0

Date Adopted: 3/22/17

**\*Resolution 2017-68: Appointing Member To County Youth Board**

**WHEREAS**, the Tompkins County Youth Services Board needs a representative from the Town of Ulysses; and

**WHEREAS** Peter Angie resides in the Town of Ulysses and is eligible, interested, and qualified to serve on the County Youth Services Board; now therefore be it

**RESOLVED** that the Town of Ulysses appoint Pete Angie as the Town's representative to the Tompkins County Youth Services Board for a term ending December 31, 2018, effective upon receipt on his application and approval by the Tompkins County Legislature; and further

**RESOLVED** that the Clerk send a copy of the completed County Application along with a certified resolution re: appointment to the Director of the Tompkins County Youth Services Department, 320 W. State St, Ithaca, NY 14850.

Moved: Ms. Zahler                      Seconded: Mr. Goldman

Ms. Thomas	aye
Ms. Zahler	aye
Mr. Hertzler	aye
Mr. Boggs	absent
Mr. Goldman	aye

Vote: 4-0

Date Adopted: 3/22/17

**\*Resolution 2017-69: Approval Of Minutes: 2/28/17**

BE IT RESOLVED that the Ulysses Town Board approve the minutes of 2/28.

Moved: Ms. Thomas                      Seconded: Mr. Goldman

Ms. Thomas	aye
Ms. Zahler	abstain
Mr. Hertzler	aye
Mr. Boggs	absent
Mr. Goldman	aye

Vote: 4-0

Date Adopted: 3/22/17

**MARCH 28th, 2017 REGULAR TOWN BOARD MEETING**

### \*Resolution 2017-70: Approval Of Meeting Agenda

BE IT RESOLVED that the Ulysses Town Board approve the agenda for March 28, 2017 with the addition of adding a new resolution to set a public information session on the proposed acquisition of Exxon-Mobil properties in Old Business section B, plus an executive session to discuss the acquisition of property; move up the TTHM (total trihalomethanes) remediation discussion to the beginning of the meeting.

Moved: Ms. Thomas

Seconded: Mr. Boggs

Ms. Thomas	aye
Ms. Zahler	aye
Mr. Hertzler	aye
Mr. Boggs	aye
Mr. Goldman	aye

Vote: 5-0

Date Adopted: 3/28/17

### \*Resolution 2017-71: Discussion and Possible Decision on WD3 TTHM Remediation

**WHEREAS** since August 2012, the Town of Ulysses Water District 3 water system has been identified with chlorination by-products known as Total Trihalomethanes (TTHMs) which have been exceeding the US Department of Environmental Protection's (EPA) Maximum Contaminant Level (MCL) of 80 ug/l for TTHM's; and

**WHEREAS** this exceedance is a violation of the Subpart 5-1.52 of the NYS Sanitary Code (NYSSC), and

**WHEREAS** on June 27, 2014 the Tompkins County Health Department (TCHD) ordered the Town of Ulysses to resolve the TTHM exceedance in accordance with TCHD Resolution Order #13.1.20 requiring the TTHM levels in Water District 3 to be maintained below the annual average maximum contaminant level (MCL) of 80ug/l for the sake of the public health of residents in Water District 3; and

**WHEREAS**, MRB Group, as authorized by the Town, completed the Preliminary Engineering Report in July 2016 of the disinfection by-products in the water distribution system for Water District #3 (WD #3), providing a recommended water improvement project that includes the separation of the water storage tank inlet and outlet and the installation of a Trihalomethane (THM) removal system which would assure all parts of WD#3 would remain under the 80ug/l threshold; and

**WHEREAS**, the Preliminary Engineering Report and the recommended water improvement project has been reviewed and approved by the Tompkins County Health Department; and

**WHEREAS**, the Town has been pursuing funding options for the water improvement project, including submission of the project to the New York State Environmental Facilities Corporation and the United States Department of Agriculture's Rural Development Program; and

**WHEREAS**, the income survey authorized by the town identified the Median Household Income (MHI) for WD #3 should qualify the water district for grant and loan funding through USDA Rural Development; and

**WHEREAS**, the Environmental Review of the water improvement project has been completed; and

**WHEREAS** the USDA Rural Development grant is anticipated to pay for approximately 75% of the estimated cost of \$944,000 if granted.

#### **NOW THEREFORE BE IT**

**RESOLVED**, that if the USDA Rural Development grant is offered to the Town of Ulysses along with a loan component to pay for chlorination by-product remediation, the Town Board authorizes the Town Supervisor to execute the required documents to accept the grant funds and begin implementation of the remediation efforts including a dedicated inlet and outlet along with a TTHM removal system as proposed in the July 2016

preliminary engineering report, as stated in the Rural Development application, and as required by the Tompkins County Health Department; and

**FURTHER RESOLVED** that if the grant is not funded, the Town of Ulysses will review how to meet the requirements of the Tompkins County Health Department at a public meeting before proceeding to implement remediation measures.

Mr. Boggs suggests that they look at running a line up Iradell Road to create a new district.

Moved: Ms. Thomas

Seconded: Mr. Goldman

Ms. Thomas	aye
Ms. Zahler	aye
Mr. Hertzler	aye
Mr. Boggs	aye
Mr. Goldman	aye

Vote: 5-0

Date Adopted: 3/28/17

**\*Resolution 2017-72: Setting a Public Information Session on Proposed Acquisition Exxon-Mobil Property**

WHEREAS, the Ulysses Town Board has been engaged in discussions with Exxon Mobil regarding the acquisition of properties in Jacksonville since 2013 and has been engaged in negotiations for the purchase of three (3) properties since June 2016; and

WHEREAS, the Ulysses Town Board has concluded its negotiations and is considering the acquisition of Town of Ulysses Tax Parcels #25.-4-26, #25.-4-27 and #25.-4-21 from Exxon Mobil; and

WHEREAS, the Town of Ulysses is not required to hold a public hearing regarding the proposed acquisition of these properties but wishes to make sure the public is fully informed about the Town's interests and intentions related to the potential acquisition of these properties; now therefore be it

RESOLVED, the Town of Ulysses set a Public Information Session on the proposed acquisition of properties from Exxon Mobil for Tuesday, April 11, 2017 at 6:30 PM at the Ulysses Town Hall to share and discuss all relevant information related to the proposed purchase of these tax parcels with members of the community prior to taking action on the draft resolution authorizing purchase of property from Exxon Mobil Oil Corporation.

Moved: Ms. Zahler

Seconded: Ms. Thomas

Ms. Thomas	aye
Ms. Zahler	aye
Mr. Hertzler	aye
Mr. Boggs	aye
Mr. Goldman	aye

Vote: 5-0

Date Adopted: 3/28/17

**\*Resolution 2017-73: Rescind and Replace Resolution 2017-72**

Ms. Zahler moved that the Town Board rescind and replace the last resolution and change the date of the Public Information Meeting to Tuesday, April 18 at 7pm at the Ulysses Town Hall.

Moved: Ms. Zahler

Seconded: Mr. Boggs

Ms. Thomas	aye
Ms. Zahler	aye
Mr. Hertzler	aye
Mr. Boggs	aye
Mr. Goldman	aye

Vote: 5-0

Date Adopted: 3/28/17

**\*Resolution 2017-74: Implementing a Dog Enumeration**

Ms. Zahler moved that Town Clerk implement a dog enumeration project as described.

Moved: Ms. Zahler

Seconded: Mr. Goldman

Ms. Thomas	aye
Ms. Zahler	aye
Mr. Hertzler	aye
Mr. Boggs	aye
Mr. Goldman	aye

Vote: 5-0

Date Adopted: 3/28/17

**\*Resolution 2017-75: Benchmarking of Energy Use in Municipal Buildings**

**WHEREAS**, buildings are the single largest user of energy in the State of New York; the poorest performing buildings typically use several times the energy of the highest performing buildings—for the exact same building use; and

**WHEREAS**, collecting, reporting, and sharing building energy data on a regular basis allows municipal officials and the public to understand the energy performance of municipal buildings relative to similar buildings nationwide, and equipped with this information the Town of Ulysses is able to make smarter, more cost-effective operational and capital investment decisions, reward efficiency, and drive widespread, continuous improvement; and

**WHEREAS**, the Town of Ulysses Town Board desires to use Building Energy Benchmarking, a process of measuring a building's energy use, tracking that use over time, and comparing performance to similar buildings, to promote the public health, safety, and welfare by making available good, actionable information on municipal building energy use to help identify opportunities to cut costs and reduce pollution in the Town of Ulysses; and

**WHEREAS**, as such the Town of Ulysses Town Board desires to establish procedure or guideline for Town of Ulysses staff to conduct such Building Energy Benchmarking; and



**NOW THEREFORE, IT IS HEREBY RESOLVED AND DETERMINED**, that the following specific policies and procedures are hereby adopted and imposed as active and affirmative financial internal control procedures of the Town of Ulysses:

Building Energy Benchmarking POLICY/procedures:

**§1. DEFINITIONS**

- (1) "Benchmarking Information" shall mean information generated by Portfolio Manager, as herein defined including descriptive information about the physical building and its operational characteristics.
- (2) "Building Energy Benchmarking" shall mean the process of measuring a building's Energy use, tracking that use over time, and comparing performance to similar buildings.
- (3) "Commissioner" shall mean the head of the Department.
- (4) "Covered Municipal Building" shall mean a building or facility that is owned or occupied by the Town of Ulysses that is 1,000 square feet or larger in size.
- (5) "Department" shall mean Town of Ulysses Supervisor's Office.
- (6) "Energy" shall mean electricity, natural gas, steam, hot or chilled water, fuel oil, or other product for use in a building, or renewable on-site electricity generation, for purposes of providing heating, cooling, lighting, water heating, or for powering or fueling other end-uses in the building and related facilities, as reflected in Utility bills or other documentation of actual Energy use.
- (7) "Energy Performance Score" shall mean the numeric rating generated by Portfolio Manager that compares the Energy usage of the building to that of similar buildings.
- (8) "Energy Use Intensity (EUI)" shall mean the kBtUs (1,000 British Thermal Units) used per square foot of gross floor area.
- (9) "Gross Floor Area" shall mean the total number of enclosed square feet measured between the exterior surfaces of the fixed walls within any structure used or intended for supporting or sheltering any use or occupancy.
- (11) "Portfolio Manager" shall mean ENERGY STAR Portfolio Manager, the internet-based tool developed and maintained by the United States Environmental Protection Agency to track and assess the relative Energy performance of buildings nationwide, or successor.
- (12) "Utility" shall mean an entity that distributes and sells Energy to Covered Municipal Buildings.
- (13) "Weather Normalized Site EUI" shall mean the amount of Energy that would have been used by a property under 30-year average temperatures, accounting for the difference between average temperatures and yearly fluctuations.

**§2. APPLICABILITY**

- (1) This policy is applicable to all Covered Municipal Buildings as defined in Section 1 of this policy.
- (2) The Commissioner may exempt a particular Covered Municipal Building from the benchmarking requirement if the Commissioner determines that it has characteristics that make benchmarking impractical.

**§3. BENCHMARKING REQUIRED FOR COVERED MUNICIPAL BUILDINGS**

- (1) No later than May 1 every year, the Commissioner or his or her designee from the Department shall enter into Portfolio Manager the total Energy consumed by each Covered Municipal Building, along with all other descriptive information required by Portfolio Manager for the previous calendar year.
- (2) For new Covered Municipal Buildings that have not accumulated 12 months of Energy use data by the first applicable date following occupancy for inputting Energy use into Portfolio Manager, the Commissioner or his or her designee from the Department shall begin inputting data in the following year.

**§4. DISCLOSURE AND PUBLICATION OF BENCHMARKING INFORMATION**

- (1) The Department shall make available to the public on the internet Benchmarking Information for the previous calendar year:
  - (a) no later than September 1 each year for Covered Municipal Buildings; and
- (2) The Department shall make available to the public on the internet and update at least annually, the following Benchmarking Information:

- (a) Summary statistics on Energy consumption for Covered Municipal Buildings derived from aggregation of Benchmarking Information; and
- (b) For each Covered Municipal Building individually:
  - (i) The status of compliance with the requirements of this Policy; and
  - (ii) The building address, primary use type, and gross floor area; and
  - (iii) Annual summary statistics, including site EUI, Weather Normalized Source EUI, annual GHG emissions, and an Energy Performance Score where available; and
  - (iv) A comparison of the annual summary statistics (as required by Section 4(2)(b)(iii) of this Policy) across calendar years for all years since annual reporting under this Policy has been required for said building.

#### §5. MAINTENANCE OF RECORDS

The Department shall maintain records as necessary for carrying out the purposes of this Policy, including but not limited to Energy bills and other documents received from tenants and/or Utilities. Such records shall be preserved by the Department for a period of three (3) years.

#### §6. ENFORCEMENT AND ADMINISTRATION

- (1) The Commissioner or his or her designee from the Department shall be the Chief Enforcement Officer of this Policy.
- (2) The Chief Enforcement Officer of this Policy may promulgate regulations necessary for the administration of the requirements of this Policy.
- (3) Within thirty days after each anniversary date of the effective date of this Policy, the Chief Enforcement Officer shall submit a report to the Town of Ulysses including but not limited to summary statistics on Energy consumption for Covered Municipal Buildings derived from aggregation of Benchmarking Information, a list of all Covered Municipal Buildings identifying each Covered Municipal Building that the Commissioner determined to be exempt from the benchmarking requirement and the reason for the exemption, and the status of compliance with the requirements of this Policy.

**FURTHER RESOLVED**, The Town of Ulysses Town Board, in regular session duly convened, does hereby authorize and direct the Town Supervisor or Town Clerk of the Town of Ulysses to execute such other and additional documents as may be required for the resolutions herein.

Moved: Ms. Thomas

Seconded: Mr. Boggs

Ms. Thomas	aye
Ms. Zahler	aye
Mr. Hertzler	aye
Mr. Boggs	aye
Mr. Goldman	aye

Vote: 5-0

Date Adopted: 3/28/17

#### **\*Resolution 2017-76: Approval of Minutes: 3/22**

BE IT RESOLVED that the Ulysses Town Board approve the minutes of 3/22.

Moved: Ms. Thomas

Seconded: Mr. Goldman

Ms. Thomas	aye
Ms. Zahler	aye
Mr. Hertzler	aye
Mr. Boggs	abstain
Mr. Goldman	aye

Vote: 4-0

Date Adopted: 3/28/17

### APRIL 11th, 2017 REGULAR TOWN BOARD MEETING

#### \*Resolution 2017-77: Approval of Meeting Agenda

BE IT RESOLVED that the Ulysses Town Board approve the agenda for April 11, 2017 with the addition of an update from Trumansburg Community Recreation and a resolution on dog enumeration.

Moved: Ms. Thomas

Seconded: Mr. Boggs

Ms. Thomas	aye
Ms. Zahler	aye
Mr. Hertzler	aye
Mr. Boggs	aye
Mr. Goldman	aye

Vote: 5-0

Date Adopted: 4/11/17

#### \*Resolution 2017-78: Cancelling Town Board Meeting of 4/25/17

RESOLVED that the Ulysses Town Board cancels the Town Board meeting scheduled for April 25, 2017.

Moved: Ms. Thomas

Seconded: Mr. Goldman

Ms. Thomas	aye
Ms. Zahler	aye
Mr. Hertzler	aye
Mr. Boggs	aye
Mr. Goldman	aye

Vote: 5-0

Date Adopted: 4/11/17

#### \*Resolution 2017-79: Adoption of The New York State Unified Solar Permit

WHEREAS the New York State Energy Research and Development Authority ("NYSERDA"), together with the New York Power Authority ("NYPA") and City University of New York ("CUNY"), developed a New York State Unified Solar Permit that reduces the cost for solar projects by streamlining municipal permitting processes; and

WHEREAS the Town of Ulysses wants to promote the streamlining of the application process for small-scale photovoltaic system installations by adopting the New York State Unified Solar Permit application form and implementing the new procedures; and

RESOLVED that the Town of Ulysses adopts the New York State Unified Solar Permit and the document titled "Understanding Solar PV Permitting and Inspecting in New York State," and

RESOLVED that the fee for solar installations is set by resolution of the Town Board.

Moved: Ms. Thomas

Seconded: Mr. Boggs

Ms. Thomas	aye
Ms. Zahler	aye
Mr. Hertzler	aye

Mr. Boggs                      aye  
Mr. Goldman                  aye

Vote: 5-0  
Date Adopted: 4/11/17

**\*Resolution 2017-80: Setting Pay for Bookkeeper**

RESOLVED that the Town of Ulysses Town Board sets the pay for the newly hired Bookkeeper at \$22/hour.

Moved: Ms. Thomas                      Seconded: Mr. Goldman

Ms. Thomas                      aye  
Ms. Zahler                      aye  
Mr. Hertzler                      aye  
Mr. Boggs                      aye  
Mr. Goldman                      aye

Vote: 5-0  
Date Adopted: 4/11/17

**\*Resolution 2017-81: Establishing a Dog Enumeration Fee**

RESOLVED that the Town Board of the Town of Ulysses establish a fee of \$10 for dogs found to be unlicensed during any dog enumeration period, as authorized by Chapter 66, Section 6(G)(6) of the Code of the Town of Ulysses.

Moved: Ms. Thomas                      Seconded: Ms. Zahler

Ms. Thomas                      aye  
Ms. Zahler                      aye  
Mr. Hertzler                      aye  
Mr. Boggs                      aye  
Mr. Goldman                      aye

Vote: 5-0  
Date Adopted: 4/11/17

**\*Resolution 2017-82: Approval of Claims**

BE IT RESOLVED that the Ulysses Town Board approve payment of claims #148-199 in the amount of \$51,580.61.

Moved: Ms. Thomas                      Seconded: Ms. Zahler

Ms. Thomas                      aye  
Ms. Zahler                      aye  
Mr. Hertzler                      aye  
Mr. Boggs                      aye  
Mr. Goldman                      aye

Vote: 5-0  
Date Adopted: 4/11/17

**\*Resolution 2017-83: Approval of Minutes: 3/28/17**

BE IT RESOLVED that the Ulysses Town Board approve the minutes of 3/28.

Moved: Mr. Goldman                      Seconded: Mr. Hertzler

Ms. Thomas	aye
Ms. Zahler	aye
Mr. Hertzler	aye
Mr. Boggs	aye
Mr. Goldman	aye

Vote: 5-0

Date Adopted: 4/11/17

**MAY 9th, 2017 REGULAR TOWN BOARD MEETING**

**\*Resolution 2017-87: Approval of Meeting Agenda**

BE IT RESOLVED that the Ulysses Town Board approve the agenda for May 9, 2017 with the addition of payment of claims.

Moved: Ms. Thomas                      Seconded: Mr. Boggs

Ms. Thomas	aye
Ms. Zahler	aye
Mr. Hertzler	aye
Mr. Boggs	aye

Vote: 4-0

Date Adopted: 5/9/17

**\*Resolution 2017-88: Consideration of Purchase of Unique Natural Area**

WHEREAS the Tompkins County Legislature has withheld tax parcel #27.-4-6 from foreclosure since 2012 in order to study options for the parcel's protection and  
WHEREAS the parcel is a vacant 4.2 acre parcel located to the west of Taughannock Blvd., bordering a section of the Black Diamond Trail, and  
WHEREAS the parcel is located within the Lakeshore Natural Features Focus Area, and is located in the Maplewood Glen and Lake Slopes Unique Natural Area (UNA-062), and  
WHEREAS preserving UNAs is in accordance with the Town of Ulysses Comprehensive Plan and the Tompkins County's purpose of designating Unique Natural Areas, and  
WHEREAS a total of \$10,853 of delinquent taxes and foreclosure fees are owed on the parcel, and  
WHEREAS the Tompkins County Government Operations Committee and the Tompkins County Legislature voted in favor of selling the parcel to the Town of Ulysses for the amount of \$5,427 to be paid over 2 years, THEREFORE BE IT RESOLVED that the Ulysses Town Board authorizes the Town Supervisor to proceed to work with Tompkins County to develop a purchase agreement for tax parcel #27.-4-6 from the county for \$5,427 to be preserved as a Unique Natural Area.

FURTHER RESOLVED that the agreement will be reviewed by the Town Board.

Moved: Ms. Thomas                      Seconded: Mr. Boggs

Ms. Thomas	aye
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Ms. Zahler                    aye  
Mr. Hertzler                aye  
Mr. Boggs                   aye

Vote: 4-0

Date Adopted: 5/9/17

**\*Resolution 2017-89: Personnel Policy – Health Savings Account Guidance**

RESOLVED that the Town of Ulysses Town Board amends section 706 of the Personnel Policy last amended on November 22, 2016 to the following:

Health Savings Accounts (added 11/22/16)

The IRS allows employers, and eligible employees, to contribute to HSAs. The Town will contribute to a health savings account (HSA) for each employee who is eligible and signed up for health insurance through the town. Annually, the town board will contribute the full amount of the in-network deductible, provided that the deductible does not exceed 44% of the in-network, out-of-pocket maximum. Employees or Elected Officials may contribute pre-tax dollars to their HSA in addition to funds the town has contributed up to the combined allowable limit as determined by the IRS. Funds belong to the employee or elected official, subject to IRS regulations.

Newly hired employees are entitled to a prorated portion of the HSA funds based on their date of hire. The rate contributed would be proportional to the number of months left in the year the employee was hired. For example, if the HSA contribution from the town is \$2000 annually and the new employee begins work on October 1 (3/4 of the way through the year), the amount the town would contribute to the employee's HSA would be 1/4 of \$2000, or a total of \$500.

Moved: Mr. Boggs                    Seconded: Ms. Zahler

Ms. Thomas                   aye  
Ms. Zahler                    aye  
Mr. Hertzler                aye  
Mr. Boggs                    aye

Vote: 4-0

Date Adopted: 5/9/17

**\*Resolution 2017-90: Approval of Claims**

BE IT RESOLVED that the Ulysses Town Board approve payment of claims #200-246 in the amount of \$184,291.19.

Moved: Ms. Thomas                    Seconded: Ms. Zahler

Ms. Thomas                   aye  
Ms. Zahler                    aye  
Mr. Hertzler                aye  
Mr. Boggs                    aye

Vote: 4-0

Date Adopted: 5/9/17

**MAY 23rd, 2017 REGULAR TOWN BOARD MEETING**

**\*Resolution 2017-91: Approval of Meeting Agenda**

BE IT RESOLVED that the Ulysses Town Board approve the agenda for May 23, 2017.

Moved: Ms. Thomas                      Seconded: Mr. Hertzler

Ms. Thomas	aye
Ms. Zahler	absent
Mr. Hertzler	aye
Mr. Boggs	aye
Mr. Goldman	aye

Vote: 4-0

Date Adopted: 5/23/17

**\*Resolution 2017-92: Acceptance of Rural Development Grant**

RESOLVED That the Town Board of the Town of Ulysses accepts the USDA Rural Development funding package for Water District 3 dated May 9, 2017 for \$977,000, of which \$477,000 are grant funds and \$500,000 are loans at a 2% interest rate.

Moved: Ms. Thomas                      Seconded: Mr. Goldman

Ms. Thomas	aye
Ms. Zahler	aye
Mr. Hertzler	aye
Mr. Boggs	nay
Mr. Goldman	aye

Vote: 4-1

Date Adopted: 5/23/17

**\*Resolution 2017-93: Engagement of Bond Counsel**

RESOLVED That the Town Board of the Town of Ulysses engage Orrick, Herrington & Sutcliffe as bond counsel and that Municipal Solutions contact them regarding a bond resolution for the Water District 3 project.

Moved: Ms. Thomas                      Seconded: Mr. Goldman

Ms. Thomas	aye
Ms. Zahler	aye
Mr. Hertzler	aye
Mr. Boggs	nay
Mr. Goldman	aye

Vote: 4-1

Date Adopted: 5/23/17

**\*Resolution 2017-94: Financial Audit Contract**

BE IT RESOLVED that the Ulysses Town Board authorizes the Town Supervisor to contract with Inero Certified Public Accountants to audit the finances of the Supervisor's accounts as outlined in the contract dated 5/9/2017, and also

RESOLVED Inero will add to the contract an audit of the accounts of the Ulysses Courts for an amount not to exceed \$1500.

Moved: Mr. Goldman                      Seconded: Mr. Hertzler

Ms. Thomas	aye
Ms. Zahler	aye
Mr. Hertzler	aye
Mr. Boggs	aye
Mr. Goldman	aye

Vote: 5-0

Date Adopted: 5/23/17

[\\*Resolution 2017-95: Resolution Authorizing \(1\) An Application To Request Amicus Curiae Status In The Matter Of Riverkeeper, Inc.; Cortland-Onondaga Federation Of Kettle Lake Associations, Inc.; Sierra Club; Theodore Gordon Flyfishers, Inc.; And Waterkeeper Alliance, Inc., V. Basil Seggos, In His Capacity as Commissioner of the New York State Department of Environmental Conservation, And New York State Department of Environmental Conservation; and \(2\) Entering Into A Retainer Agreement For This Purpose With Legal Counsel](#)

WHEREAS, the Town Board of the Town of Ulysses (hereafter "Town Board") is concerned about the impacts on its community of the recently adopted Clean Water Act General Permit for CAFOs; and

WHEREAS, EarthJustice has filed a petition challenging the aforementioned General Permit;

NOW, THEREFORE, BE IT RESOLVED that the Town Board will seek amicus curiae status in the matter of Riverkeeper, Inc. et al. v. Basil Seggos and New York Department of Conservation, Index No. 902103-17 and seek consent of the court to submit an amicus curiae brief; and be it further

RESOLVED that the Town Board will retain the Columbia Environmental Law Clinic to provide legal services to the Town in connection with the preparation and submission of the amicus curiae brief; and be it further

RESOLVED that the Supervisor or a Deputy Supervisor is hereby authorized to sign the retainer letter with the Columbia Environmental Law Clinic for such legal representation and services.

Moved: Ms. Thomas                      Seconded: Mr. Boggs

Ms. Thomas	aye
Ms. Zahler	aye
Mr. Hertzler	aye
Mr. Boggs	aye



Mr. Goldman                      aye

Vote: 5-0

Date Adopted: 5/23/17

**\*Resolution 2017-96: Approval of Minutes: 4/11**

BE IT RESOLVED that the Ulysses Town Board approve the minutes of 4/11/17 as edited by Ms. Zahler.

Moved: Ms. Zahler                      Seconded: Mr. Hertzler

Ms. Thomas                      aye

Ms. Zahler                      aye

Mr. Hertzler                      aye

Mr. Boggs                      aye

Mr. Goldman                      aye

Vote: 5-0

Date Adopted: 5/23/17

**\*Resolution 2017-97: Approval of Minutes: 4/18**

BE IT RESOLVED that the Ulysses Town Board approve the minutes of 4/18/17 as edited by Ms. Zahler.

Moved: Ms. Zahler                      Seconded: Mr. Goldman

Ms. Thomas                      aye

Ms. Zahler                      aye

Mr. Hertzler                      aye

Mr. Boggs                      aye

Mr. Goldman                      aye

Vote: 5-0

Date Adopted: 5/23/17

**\*Resolution 2017-98: Approval of Minutes: 5/9**

BE IT RESOLVED that the Ulysses Town Board approve the minutes of 5/9/17 as edited by Ms. Zahler.

Moved: Ms. Zahler                      Seconded: Ms. Thomas

Ms. Thomas                      aye

Ms. Zahler                      aye

Mr. Hertzler                      aye

Mr. Boggs                      aye

Mr. Goldman                      aye

Vote: 5-0

Date Adopted: 5/23/17

## MAY 30rd, 2017 SPECIAL TOWN BOARD MEETING

### \*Resolution 2017-99: Order to Call a Public Hearing on the Question of the Increase and Improvement of the Facilities of the Town Of Ulysses Water District No. 3

**WHEREAS**, the Town Board of the Town of Ulysses, Tompkins County, New York, has caused to be prepared a map, plan and report, also known as the engineering report, including an estimate of cost, pursuant to Section 202-b of the Town Law, relating to the increase and improvement of the facilities of Water District No. 3, in the Town of Ulysses, Tompkins County, New York ("Water District No. 3"), being the incorporation of a Total Trihalomethanes Removal System in the existing ground storage tank located at the intersection of Van Dorn Corners Road and Iradell Road, together with construction of a dedicated inlet pipe to said tank, and additional tank modifications, installation of remote water meters and meter reading system and original furnishings, equipment, machinery, apparatus, appurtenances, and incidental improvements and expenses in connection therewith, at a maximum estimated cost of \$977,000; and

**WHEREAS**, said capital project has been determined to be a Type I Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, the implementation of which as proposed, it has been determined will not result in any significant adverse environmental effects; and

**WHEREAS**, it is now desired to call a public hearing on the question of the increase and improvement of the facilities of said Water District No. 3, in the matter described above, and to hear all persons interested in the subject thereof, concerning the same, in accordance with the provisions of Section 202 b of the Town Law; NOW, THEREFORE, IT IS HEREBY

**ORDERED**, by the Town Board of the Town of Ulysses, Tompkins County, New York, as follows:

Section 1. A public hearing will be held in the Town Hall, in Trumansburg, New York, in said Town, on June 13, 2017 at 6:30 P.M., Prevailing Time, on the question of the increase and improvement of the facilities of the Town of Ulysses Water District No. 3, in the Town of Ulysses, Tompkins County, New York, in the manner described in the preambles hereof, and to hear all persons interested in the subject thereof, concerning the same, and to take such action thereon as is required or authorized by law.

Section 2. The Town Clerk is hereby authorized and directed to cause a copy of the Notice of Public Hearing hereinafter provided to be published once in the official newspaper, and also to cause a copy thereof to be posted on the sign board of the Town, such publication and posting to be made not less than ten, nor more than twenty, days before the date designated for the hearing.

Section 3. The notice of public hearing shall be in substantially the form attached hereto as Exhibit A and hereby made a part hereof.

Section 4. This Order shall take effect immediately.

Moved: Ms. Thomas

Seconded: Mr. Boggs

The question of the adoption of the foregoing order was duly put to a vote on roll call, which resulted as follows:

Ms. Thomas	aye
Ms. Zahler	aye
Mr. Boggs	aye

Vote: 3-0

Date Adopted: 5/30/17

## JUNE 13th, 2017 REGULAR TOWN BOARD MEETING

**\*Resolution 2017-100: Approval of Meeting Agenda**

BE IT RESOLVED that the Ulysses Town Board approve the agenda for June 13, 2017.

Moved: Ms. Hertzler

Seconded: Mr. Boggs

Ms. Thomas                      aye

Ms. Zahler                        aye

Mr. Hertzler                    aye

Mr. Boggs                        aye

Mr. Goldman                    aye

Vote: 5-0

Date Adopted: 6/13/17

**\*Resolution 2017-101: Requesting the Preparation of a Draft Environmental Impact Statement for the Proposed Cargill Mine Shaft #4 Construction Project**

**WHEREAS**, The Town Board of Ulysses recognizes the economic, social, recreational, and ecological importance of Cayuga Lake and its watershed to the State and to the local community; and

**WHEREAS**, it has come to the attention of the Town Board that an application has been submitted by Cargill, Inc. to the New York Department of Environmental Conservation (DEC) for permission to construct a new mine shaft adjacent to Cayuga Lake (ID#0-9999-00075/00001 -- Cargill Mine Shaft #4); and

**WHEREAS**, the mine is partially located within the Town of Ulysses and therefore the Town is an interested party in the environmental review of this project; and

**WHEREAS**, credible concerns have been expressed with substantial supporting scientific documentation provided to the NYSDEC demonstrating the potential for significant impacts to Cayuga Lake and/or the local environment from this proposal, including but not limited to:

impairment of the viewshed from Town of Ulysses lakeshore locations including Taughannock State Park, increase in local greenhouse gas emissions,

subsurface water storage, in a portion of the mine located in the Town of Ulysses, that could lead to the collapse of portions of the mine and to surface subsidence, and

subsurface intersection of the mine shaft with an aquifer which could cause mine flooding and the subsequent salinization of Cayuga Lake in a manner analogous to the 1994 Retsof Mine disaster in Livingston County; and

**WHEREAS**, NYSDEC, prior to any public announcement of the environmental review of the proposed project, nevertheless issued a "negative declaration" denying that there is any potential for significant environmental impacts from this construction project; now, therefore be it

**RESOLVED**, that the Town Board of the Town of Ulysses respectfully requests that the NYSDEC:

rescind its negative declaration of June 30, 2016 for Cargill, Inc.'s Mine Shaft #4 construction project, require a full and transparent disclosure of all information (including seismic studies) critical to an analysis of the above potential risks to the environment and the future health of Cayuga Lake, and

require submission of a Draft Environmental Impact Statement for the proposed project prior to the issuance of a permit, thereby encouraging a full public discussion of these important concerns; and it is further

**RESOLVED**, that a copy of this resolution be forwarded by the Town Clerk to Governor Andrew Cuomo, NYSDEC Commissioner Basil Seggos, Senators Patricia Helming and Thomas O'Mara, Senate Leader John Flanagan, Senate Minority Leader Andrea Stewart-Cousins, Assemblywoman Barbara Lipton, Assembly Speaker Carl Heastie, Assembly Minority leader Brian Kolb, Village of Trumansburg Martin Petrovic, and Tompkins County Legislature Chair Michael Lane and the Town Clerk will notify or cc the Town Supervisor and provide a certified copy when complete.

Moved: Ms. Zahler

Seconded: Mr. Goldman

Ms. Thomas	aye
Ms. Zahler	aye
Mr. Hertzler	aye
Mr. Boggs	abstain
Mr. Goldman	aye

Vote: 4-0

Date Adopted: 6/13/17

**\*Resolution 2017-102: Referral of Development District 8 Rezoning to the Planning Board**

**WHEREAS**, Development District Number 8: Moore's Outboard Sales and Services, located at 3052 Dubois Rd, Tax Parcel Number 32.-2-8.22, was created in 1991; and

**WHEREAS**, the current owners would like to revise the development district language to reflect their current and future uses of the property; and

**WHEREAS**, the Town of Ulysses Zoning Law §212-20 outlines the procedure for rezoning requests, which starts with the Town Board review of the proposal and if the Town Board decides "that the request for rezoning merits further consideration, the Board shall direct the applicant to proceed with a sketch plan conference, and then shall refer the proposal to the Planning Board for further review and recommendations."

**THEREFORE BE IT RESOLVED** that the Town of Ulysses Town Board directs the applicant to proceed with a sketch plan conference as outlined in the zoning law §212-20 A (2) and refers the proposal to the Planning Board for review and recommendations.

Moved: Ms. Thomas                      Seconded: Mr. Goldman

Ms. Thomas	aye
Ms. Zahler	aye
Mr. Hertzler	aye
Mr. Boggs	aye
Mr. Goldman	aye

Vote: 5-0

Date Adopted: 6/13/17

**\*Resolution 2017-103: Resolution of Support for the Water Infrastructure Improvement Act (WIIA) Grant Application from the Town of Ulysses for the Benefit of Water District #3**

**WHEREAS**, the Ulysses Town Board of Tompkins County, supports the submission of a New York State Water Infrastructure Improvement Act (WIIA) grant application, on behalf of Water District #3 in the Town for a drinking water project; and

**WHEREAS**, the New York State Environmental Facilities Corporation (EFC) administers grants to assist municipalities in funding water treatment and distribution infrastructure projects for protecting or improving water quality and/or protecting public health; and

**WHEREAS**, an Engineering Report, prepared by MRB Group made recommendations to improve the water quality in Water District #3 which has been cited for violating a public health regulation pertaining to Total

Trihalomethanes (TTHM) exceeding the New York State Department of Health (NYSDOH) Maximum Contaminant Level (MCL) over the last several years; and

**WHEREAS**, the Engineering Report recommended the construction of a dedicated inlet watermain pipe to the existing Water District #3 ground storage tank to separate the inlet/outlet pipes, incorporation of a TTHM Removal System in the ground storage tank for water quality treatment, incidental modifications to the ground storage tank, incidental valving modifications to the water distribution system, and new remote meter reading equipment and meters; and

**WHEREAS**, the proposed project will benefit the users in Water District #3 by making the recommended improvements required to comply with the NYSDOH public health regulations pertaining to water quality by making improvements in the distribution system to treat water moving through the system for high TTHMs which pose a public health risk; and

**WHEREAS**, the proposed project expenditures are anticipated to be funded by a loan and potential grant from United State Department of Agriculture, Rural Development project funding per the Preliminary Eligibility Determination/Funding Estimate received by the Town subsequent to the Town submitting a funding application to Rural Development; and

**NOW, THEREFORE BE IT RESOLVED**, the Ulysses Town Board authorizes Supervisor Elizabeth Thomas to submit such grant application on behalf the Town and authorizes the Supervisor to execute necessary documents relative to and as required for the application; and

**THEREFORE, BE IT FURTHER RESOLVED** that the Ulysses Town Board of Tompkins County recognizes and fully supports the submission of the WIIA grant application on behalf of Water District #3 of the Town, for a drinking water project.

Moved: Ms. Thomas

Seconded: Mr. Goldman

Ms. Thomas	aye
Ms. Zahler	aye
Mr. Hertzler	aye
Mr. Boggs	nay
Mr. Goldman	aye

Vote: 4-1

Date Adopted: 6/13/17

#### **\*Resolution 2017-104: Public Interest Order-Wd3 Improvements**

**WHEREAS**, the Town Board of the Town of Ulysses, Tompkins County, New York, has duly caused to be prepared a prepared a map, plan and report, including an estimate of cost, pursuant to Section 202-b of the Town Law, relating to the increase and improvement of the facilities of Water District No. 3, in the Town of Ulysses, Tompkins County, New York ("Water District No. 3"), being the incorporation of a Total Trihalomethanes (TTHM) Removal System in the existing ground storage tank located at the intersection of Van Dorn Corners Road and Iradell Road, together with construction of a dedicated inlet pipe to said tank, and additional tank modifications, installation of remote water meters and meter reading system and original furnishings, equipment, machinery, apparatus, appurtenances, and incidental improvements and expenses in connection therewith, at a maximum estimated cost of \$977,000 and

**WHEREAS**, at a meeting of said Town Board duly called and held on May 30, 2017, an Order was duly adopted by it and entered in the minutes specifying the said Town Board would meet to consider the increase and improvement of facilities of Water District No. 3 in said Town at a maximum estimated cost of \$977,000, and to hear all persons interested in the subject thereof concerning the same at the Town Hall, in Trumansburg, New York, in said Town, on June 13, 2017, at 6:30 P.M., Prevailing Time; and

**WHEREAS**, said Order setting the public hearing duly certified by the Town Clerk was duly published and posted as required by law; and

**WHEREAS**, a public hearing was duly held at the time and place set forth in said notice, at which all persons desiring to be heard were duly heard; **NOW, THEREFORE, BE IT**

**ORDERED**, by the Town Board of the Town of Ulysses, Tompkins County, New York, as follows:

Section 1. Upon the evidence given at the aforesaid public hearing, it is hereby found and determined that it is in the public interest to make the increase and improvement of the facilities of Water District No. 3, in the Town of Ulysses, Tompkins County, New York, consisting the incorporation of a Total Trihalomethanes Removal System in the existing ground storage tank located at the intersection of Van Dorn Corners Road and Iradell Road, together with construction of a dedicated inlet pipe to said tank, and additional tank modifications, installation of remote water meters and meter reading system and original furnishings, equipment, machinery, apparatus, appurtenances, and incidental improvements and expenses in connection therewith, at a maximum estimated cost of \$977,000

Section 2. This Order shall take effect immediately.

The question of the adoption of the foregoing Order was duly put to a vote on roll, which resulted as follows:

Moved: Ms. Thomas

Seconded: Ms. Zahler

Ms. Thomas	aye
Ms. Zahler	aye
Mr. Hertzler	aye
Mr. Boggs	nay
Mr. Goldman	aye

Vote: 4-1

Date Adopted: 6/13/17

**\*Resolution 2017-105: Bond Resolution Dated June 13, 2017.**

**A Resolution Authorizing the Issuance of \$977,000 Bonds Of The Town Of Ulysses, Tompkins County, New York, To Pay The Cost Of The Increase And Improvement Of The Facilities Of Water District No. 3, In The Town Of Ulysses, Tompkins County, New York**

**WHEREAS**, pursuant to the provisions heretofore duly had and taken in accordance with the provisions of Section 202 b of the Town Law, and more particularly an Order dated the date hereof, said Town Board has determined it to be in the public interest to improve the facilities of Water District No. 3, ("Water District No. 3") in the Town of Ulysses, Tompkins County, New York, at a maximum estimated cost of \$977,000; and

**WHEREAS**, the capital project hereinafter described, as proposed, has been determined to be a Type I Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, which it has been determined will not have any significant adverse effects on the environment; and

**WHEREAS**, it is now desired to authorize such capital project and it's financing; **NOW, THEREFORE, BE IT RESOLVED**, by the Town Board of the Town of Ulysses, Tompkins County, New York, as follows:

Section 1. The increase and improvement of Water District No. 3, in the Town of Ulysses, Tompkins County, New York, being the incorporation of a Total Trihalomethanes Removal System in the existing ground storage tank located at the intersection of Van Dorn Corners Road and Iradell Road, together with construction of a dedicated inlet pipe to said tank, and additional tank modifications, installation of remote water meters and meter reading system and original furnishings, equipment, machinery, apparatus, appurtenances, and incidental improvements and expenses in connection therewith, is hereby authorized at a maximum estimated cost of \$977,000.

Section 2. It is hereby determined that the plan for the financing of said class of objects or purposes is by the issuance of \$977,000 bonds of said Town hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law; PROVIDED, HOWEVER, that to the extent that any grants-in-aid are received for such class of objects or purposes, the amount of bonds to be issued pursuant to this resolution shall be reduced dollar for dollar.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is forty years pursuant to subdivision 1 of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the serial bonds herein authorized will exceed five years.

Section 4. The faith and credit of said Town of Ulysses, Tompkins County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. To the extent not paid from monies raised from said Water District No. 3 in the manner provided by law, there shall annually be levied on all the taxable real property of said Town, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 6. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Supervisor, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as she shall deem best for the interests of said Town, including, but not limited to, the power to sell said bonds to the New York State Environmental Facilities Corporation; provided, however, that in the exercise of these delegated powers, the Supervisor shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the Supervisor shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 7. All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue serial bonds with substantially level or declining annual debt service, shall be determined by the Supervisor, the chief fiscal officer of such Town. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Supervisor shall determine consistent with the provisions of the Local Finance Law.

Section 8. The Supervisor is hereby further authorized, at her sole discretion, to execute a project finance and/or loan agreement, and any other agreements with the New York State Department of Health and/or the New York State Environmental Facilities Corporation, including amendments thereto, and including any instruments (or amendments thereto) in the effectuation thereof, in order to effect the financing or refinancing of the class of objects or purposes described in Section 1 hereof, or a portion thereof, by a bond, and/or note issue of said Town in the event of the sale of same to the New York State Environmental Facilities Corporation.

Section 9. The power to issue and sell notes to the New York State Environmental Facilities Corporation pursuant to Section 169.00 of the Local Finance Law is hereby delegated to the Supervisor. Such notes shall be of such terms, form and contents as may be prescribed by said Supervisor consistent with the provisions of the Local Finance Law.

Section 10. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 11. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 12. This resolution, which takes effect immediately, shall be published in summary form in the official newspaper, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

Moved: Ms. Thomas                      Seconded: Mr. Hertzler

Ms. Thomas	aye
Ms. Zahler	aye
Mr. Hertzler	aye
Mr. Boggs	nay
Mr. Goldman	aye

Vote: 4-1

Date Adopted: 6/13/17

**\*Resolution 2017-106: Scheduling A Public Hearing On Proposed Acquisition Of Unique Natural Area Property At 1284 Taughannock Boulevard**

**WHEREAS**, the Town Board seeks to purchase an approximately 4.2 acre vacant parcel of land located to the west of Taughannock Boulevard which borders a section of the Black Diamond Trail, known as Town of Ulysses tax parcel number 27.-4-6 ("the Property") from the County of Tompkins ("the County"); and

**WHEREAS**, a total of \$10,583 of delinquent taxes and foreclosure fees are owed on the parcel; and

**WHEREAS**, the Tompkins County Legislature adopted Resolution No. 2017-71 on April 18, 2017, which authorizes the County to execute an agreement with the Town to purchase the Property for \$5,427, spread out over a two-year period, and authorizes the County Administrator or his designee to execute other agreements necessary for the county to implement this transfer to the Town; and



**WHEREAS**, the Property is located within the lakeshore Natural Features Focus Area and in the Maplewood Glen and Lake Slopes Unique Natural Areas (“UNA’s”); and

**WHEREAS**, preservation of UNA’s is in accordance with the Town’s Comprehensive Plan and the County’s purpose of designating UNA’s; and

**WHEREAS**, the Town’s proposed use of the Property is to preserve it as open space and provide an outdoor recreation area for members of the public; and

**WHEREAS**, §247(3) of the General Municipal Law provides that the acquisition of interests or rights in real property for the preservation of open spaces is a public purpose for which public funds may be expended and that such acquisition requires a public hearing subject to due notice;

**NOW, THEREFORE, BE IT**

**RESOLVED** that a public hearing shall be held at the Town Board meeting on July 11, 2017 at 7:15 p.m. in the Town Hall, 10 Elm Street, Trumansburg, New York 14886, to give members of the public the opportunity to comment on the proposed acquisition of the Property from the County for a purchase price of \$5,427, spread over two years, plus the costs of acquisition; and be it further

**RESOLVED** that the Town Clerk shall cause notice of such public hearing to be published and posted at least five days before the date thereof in the newspaper of record, on the Clerk’s bulletin board and on the town email distribution list.

Ms. Geldenhuys shared that the county had been trying to sell this property to the state. When a title search was done, the title was not clear. Ms. Geldenhuys has ordered a survey and abstract. She recommends title insurance.

Moved: Mr. Boggs                      Seconded: Ms. Zahler

Ms. Thomas	aye
Ms. Zahler	aye
Mr. Hertzler	aye
Mr. Boggs	aye
Mr. Goldman	aye

Vote: 5-0

Date Adopted: 6/13/17

**\*Resolution 2017-107: Authorizing Execution Of Contract With The New York State Office Of Parks, Recreation And Historic Preservation For Acquisition Of Property On Salo Drive**

**WHEREAS**, the Town Board by Resolution 2016-117 authorized the Town Supervisor and Town Staff to apply to the New York State Office of Parks, Recreation and Historic Preservation (“the State”) for a grant to acquire approximately 32 acres of land on Salo Drive along Trumansburg Creek from Habitat for Humanity; and

**WHEREAS**, the State approved the application for funding in the amount of \$57,205, subject to execution by the Town and the State of New York Master Contract for Grants, with the attachments thereto containing the Program Specific Terms and Conditions (“the Contract”);

**NOW, THEREFORE, BE IT**

**RESOLVED** that the Town Board hereby authorizes the Town Supervisor to execute the Contract with NYS Office of Parks, Recreation and Historic Preservation for a grant to acquire this property on behalf of the Town.

Moved: Ms. Thomas

Seconded: Mr. Boggs

Ms. Thomas	aye
Ms. Zahler	aye
Mr. Hertzler	aye
Mr. Boggs	aye
Mr. Goldman	aye

Vote: 5-0

Date Adopted: 6/13/17

**\*Resolution 2017-108: Scheduling A Public Hearing On Proposed Acquisition Of Property On Salo Drive And Authorizing Execution Of A Contract For Sale And Purchase Contingent On Town Board Approval**

**WHEREAS**, the Town Board seeks to purchase 3 vacant parcels of land on Salo Drive along Trumansburg Creek, known as Village of Trumansburg tax parcel number 7.-6-1.1 and Town of Ulysses tax parcel numbers 11.-2-8.2 and 11.-2-11, consisting of approximately 32 acres (“the Property”) from Habitat for Humanity (“Habitat”); and

**WHEREAS**, the Town’s proposed use of the Property is to provide an outdoor recreation area for residents of the Village of Trumansburg and Town of Ulysses; and

**WHEREAS**, the Property contains wetlands and vernal pools, and is a buffer to Trumansburg Creek, and buffering Trumansburg Creek from development will help to preserve water quality from contaminants and sedimentation in Trumansburg Creek and Cayuga Lake; and

**WHEREAS**, the Town obtained an appraisal of the Property from Carol DiSanto, a certified real estate appraiser, which determined that the market value of the Property was \$74,000 as of June 21, 2016; and

**WHEREAS**, pursuant to a proposed Contract for Sale and Purchase of Real Property, the Town proposes to purchase the Property from Habitat for a purchase price of \$50,000; and

**WHEREAS**, the Town applied for a grant from the New York State Office of Parks, Recreation and Historic Preservation in the amount of \$57,205, to reimburse the Town for the purchase price and costs of acquisition; and

**WHEREAS**, §247(3) of the General Municipal Law provides that the acquisition of interests or rights in real property for the preservation of open spaces is a public purpose for which public funds may be expended and that such acquisition requires a public hearing subject to due notice;

**NOW, THEREFORE, BE IT**

**RESOLVED** that a public hearing shall be held at the Town Board meeting on July 11, 2017 at 7:00 p.m. in the Town Hall, 10 Elm Street, Trumansburg, New York 14886, to give members of the public the opportunity to comment on the proposed acquisition of the Property from Habitat for a purchase price of \$50,000, with anticipated acquisition costs of \$7,205; and be it further

**RESOLVED** that the Town Clerk shall cause notice of such public hearing to be published and posted at least five days before the date thereof in the newspaper of record, on the Clerk’s bulletin board and on the town email list.

Moved: Mr. Boggs

Seconded: Ms. Zahler

Ms. Thomas	aye
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Ms. Zahler	aye
Mr. Hertzler	aye
Mr. Boggs	aye
Mr. Goldman	aye

Vote: 5-0

Date Adopted: 6/13/17

**\*Resolution 2017-109: Approval Of Request To Market The “Old Church” In Jacksonville**

**WHEREAS**, The Town of Ulysses has entered into a contract to purchase three properties for sale in Jacksonville from the current owner, Exxon Mobil. The Town seeks to sell an 1827 historic church in need of substantial repair located at 5020 Jacksonville Rd (“the Church Parcel”) together with an adjacent parcel (5036 Jacksonville Rd) (“the Adjacent Parcel”) which could be used for a septic system and/or parking for the Church Parcel, or other allowable accessory use and

**WHEREAS**, The Town intends to take steps to offer the properties for sale to qualified buyers willing and able to preserve the historic façade and re-purpose this unique structure for any uses permitted by zoning for these parcels, including, but not limited to: residential, home business, or retail uses. The deed to the Church Parcel will include an historic preservation restrictive covenant and

**WHEREAS**, The Town wishes to retain the services of a New York State licensed real estate salesperson or broker (collectively referred to as “realtor”) with experience in marketing historic buildings and therefore be it

**RESOLVED** that the Ulysses Town Board approve and distribute the attached Request for Qualifications to identify NYS certified realtors interested in marketing the Old Church.

Moved: Ms. Zahler                      Seconded: Mr. Goldman

Ms. Thomas	aye
Ms. Zahler	aye
Mr. Hertzler	aye
Mr. Boggs	aye
Mr. Goldman	aye

Vote: 5-0

Date Adopted: 6/13/17

**\*Resolution 2017-110: Appointment Of Ulysses’ Environmental Planner As The Town’s Climate Smart Communities Coordinator**

**WHEREAS**, the Ulysses Town Board passed a resolution (No. 2016-154) to participate in the New York State Department of Environmental Conservation’s “Climate Smart Communities” Initiative on September 13, 2016; and

**WHEREAS**, the Environmental Planner, with assistance from Cornell Cooperative Extension and others, is currently pursuing Climate Smart Communities certification for the Town of Ulysses; and

**WHEREAS**, achieving Climate Smart Communities certification would help to make the Town eligible for funding through the New York State Energy Research and Development Authority’s (NYSERDA) Clean Energy

Communities program, make other state funding applications more attractive, and would provide good public relations opportunities for the Town; and

**WHEREAS**, to become a Certified Climate Smart Community, one of the actions the Town of Ulysses must take is to appoint a Climate Smart Communities Coordinator; and

**WHEREAS**, the job duties of the Environmental Planner align with the goals of the Climate Smart Communities program, and would therefore remain the same, now, therefore, be it

**RESOLVED**, that the Environmental Planner of the Town of Ulysses is hereby appointed as the Town's Climate Smart Communities Coordinator for the New York State Department of Conservation's Climate Smart Communities Initiative.

Moved: Ms. Thomas                      Seconded: Mr. Goldman

Ms. Thomas	aye
Ms. Zahler	aye
Mr. Hertzler	aye
Mr. Boggs	aye
Mr. Goldman	aye

Vote: 5-0  
Date Adopted: 6/13/17

**\*Resolution 2017-111: Following The County's Proclamation**

**WHEREAS** the Town of Ulysses Town Board believes in the civil rights and preservation of dignity for all residents of the Town of Ulysses and beyond, regardless of their race, nationality, ethnicity, income, sex, sexual orientation, abilities, age, political belief, language or religion; and

**WHEREAS** the LGBTQ community has endured a history of discrimination; and

**WHEREAS** on June 6, 2017, Tompkins County Legislative Chair, Michael Lane proclaimed June as LGBTQ+ Pride Month.

**THEREFORE BE IT RESOLVED** that the Town Board of Ulysses endorses the proclamation of June 2017 being LGBTQ+ Pride Month made by the Tompkins County Chair Michael Lane.

Moved: Ms. Zahler                      Seconded: Mr. Goldman

Ms. Thomas	aye
Ms. Zahler	aye
Mr. Hertzler	aye
Mr. Boggs	abstain
Mr. Goldman	aye

Vote: 4-0  
Date Adopted: 6/13/17

**\*Resolution 2017-112: Approval Of Minutes: 5/23, 5/30/17**

**BE IT RESOLVED** that the Ulysses Town Board approve the minutes of 5/23/17 and 5/30/17.

Moved: Mr. Goldman                      Seconded: Ms. Zahler

Ms. Thomas	aye
Ms. Zahler	aye
Mr. Hertzler	abstain
Mr. Boggs	aye
Mr. Goldman	aye

Vote: 4-0

Date Adopted: 6/13/17

**\*Resolution 2017-113: Approval Of Claims**

BE IT RESOLVED that the Ulysses Town Board approve payment of claims #248-297 in the amount of \$82,968.23.

Moved: Ms. Thomas

Seconded: Mr. Goldman

Ms. Thomas	aye
Ms. Zahler	aye
Mr. Hertzler	aye
Mr. Boggs	aye
Mr. Goldman	aye

Vote: 5-0

Date Adopted: 6/13/17

**JUNE 27th, 2017 REGULAR TOWN BOARD MEETING**

**\*Resolution 2017-114: Approval of Meeting Agenda**

BE IT RESOLVED that the Ulysses Town Board approve the agenda for June 27, 2017 with the addition of endorsement/proclamation policy and water hookup fine; deletion of budget modification; and addition of an executive session related to the employment of a particular person.

Moved: Ms. Thomas

Seconded: Mr. Boggs

Ms. Thomas	aye
Ms. Zahler	aye
Mr. Hertzler	aye
Mr. Boggs	aye
Mr. Goldman	aye

Vote: 5-0

Date Adopted: 6/27/17

**\*Resolution 2017-115: Authorizing The Town Supervisor To Send A Letter Of Support To Tompkins County Industrial Development Agency To Enter Into A Payment In Lieu Of Taxes (PILOT) Agreement With Renovus**

**RESOLVED** That the Town Board of the Town of Ulysses authorizes the Town Supervisor to sign and send a letter of support for the Tompkins County Industrial Development Agency to enter into a PILOT (payment in

lieu of taxes) agreement for the Renovus 2 MW community solar project proposed at 1574 Trumansburg Road.

Moved: Mr. Hertzler                      Seconded: Ms. Zahler

Ms. Thomas	aye
Ms. Zahler	aye
Mr. Hertzler	aye
Mr. Boggs	aye
Mr. Goldman	aye

Vote: 5-0  
Date Adopted: 6/27/17

**\*Resolution 2017-116: Policy On Endorsements**

**WHEREAS**, the Ulysses Town Board occasionally receives requests from a variety of organizations requesting the Town’s endorsement of their positions on issues affecting the quality of life of Town residents, and

**WHEREAS**, the Town Board wishes to create criteria that includes and excludes requests from consideration by the Town Board, now therefore be it

**RESOLVED** that the Ulysses Town Board will consider requests from other governments, non-profits organizations, and petitions from residents of the Town that promote or support:  
Stewardship of the Town’s environment and natural resources;  
Health and well-being of Town residents;  
Rights, inclusion, and dignity of all Town residents and those historically excluded or discriminated against;  
Arts, culture, and history;  
Goals included in the Comprehensive Plan; and/or  
Recognition or appreciation of achievements or contributions to the Town

Moved: Ms. Zahler                      Seconded: Mr. Hertzler

Ms. Thomas	nay
Ms. Zahler	aye
Mr. Hertzler	aye
Mr. Boggs	nay
Mr. Goldman	aye

Vote: 3-2  
Date Adopted: 6/27/17

**\*Resolution 2017-117: Adopting A Waste Management Policy For Permitted Events**

**RESOLVED**, that as part taking the Climate Smart Community pledge, the Town of Ulysses adopts the attached Waste Management Policy for government-hosted and permitted events.

TOWN OF ULYSSES  
WASTE MANAGEMENT POLICY FOR GOVERNMENT HOSTED

## AND PERMITTED EVENTS

WHEREAS, the Town of Ulysses hosts events and provides permits for special events as defined in Town Code, Chapter 142; and

WHEREAS, waste produced at these events could be diverted from landfills to be recycled and/or composted to minimize the negative environmental impacts of these events; and

WHEREAS, the Town of Ulysses is dedicated to promoting environmentally sustainable practices, as demonstrated by the pursuit of certification by the New York State Department of Environmental Conservation's Climate Smart Communities program,

RESOLVED, that the Town of Ulysses does hereby adopt the following waste management policy for government hosted and permitted special events.

The number of receptacles to collect recyclable waste must be equal to the number of receptacles to collect non-recyclable waste at a 1:1 ratio and must be placed next to each other in areas throughout the event venue.

Receptacles designated for collecting recyclable waste must be clearly labeled as a recycling collection receptacle and display a list of recyclable materials accepted. All recyclable materials can be collected in the same bin.

The types of waste that must be recycled at these events include all aluminum and metal cans, glass, plastic bottles and jars, and all mixed paper and cardboard.

There must be at least one clearly labeled composting station at the event venue. Signage at other trash collection areas should indicate the location of the composting station.

The host organization must recycle all recyclable waste produced during setup and clean-up.

The host organization must communicate these policies regarding recycling with all vendors, organizers, and service providers participating in the event.

The host organization must provide documentation that all recyclable waste from the event is destined to a recycling facility and not a landfill.

To demonstrate compliance with this policy, the host organization must:

Submit documentation indicating how recyclables will be collected and brought to a recycling facility to the zoning officer at the Town of Ulysses.

Submit documentation demonstrating that the host organization has shared the event's waste management policy with vendors, organizers, and service providers participating in the event to the zoning officer at the Town of Ulysses.

Failure to comply with this policy will result in failure to obtain a permit or permission to host the event at any time in the next two years.

*A list of trash hauling companies in Tompkins County is available on the following webpage:*

*<https://recycletompkins.org/Trash/Licensed-Haulers>.*

*A list of composting drop-off sites in Tompkins County is available on the following webpage:*

*<https://recycletompkins.org/site/view/1000030>.*

*For more information on the Tompkins County Recycling and Solid Waste Center, visit the following webpage:*

*<https://recycletompkins.org/site/view/1000012>.*

Moved: Ms. Thomas

Seconded: Mr. Goldman

Ms. Thomas                      aye

Ms. Zahler                        aye

Mr. Hertzler                    aye

Mr. Boggs                        aye

Mr. Goldman                    aye

Vote: 5-0

Date Adopted: 6/27/17

**\*Resolution 2017-118: Water Hook Up Late Fees**

**RESOLVED** that the Town of Ulysses set the penalty for new water hook up fees not paid within 30 days at 5% of the total bill, and also,

**RESOLVED** that the Town Clerk will revise any documents listing the penalties and e-mail a new version to the Code Officer, Zoning Officer, Bookkeeper; and post to the website.

Moved: Ms. Thomas

Seconded: Ms. Zahler

Ms. Thomas	aye
Ms. Zahler	aye
Mr. Hertzler	aye
Mr. Boggs	aye
Mr. Goldman	aye

Vote: 5-0

Date Adopted: 6/27/17

**\*Resolution 2017-119: Approval Of Minutes: 6/13 PH, 6/13 TB**

BE IT RESOLVED that the Ulysses Town Board approve the minutes of 6/13 PH and TB, as amended.

Moved: Ms. Zahler

Seconded: Mr. Boggs

Ms. Thomas	aye
Ms. Zahler	aye
Mr. Hertzler	aye
Mr. Boggs	aye
Mr. Goldman	aye

Vote: 5-0

Date Adopted: 6/27/17

**\*Resolution 2017-120: Approval Of Claims**

BE IT RESOLVED that the Ulysses Town Board approve payment of claims #298-308 in the amount of \$31,947.17.

Moved: Ms. Thomas

Seconded: Ms. Zahler

Ms. Thomas	aye
Ms. Zahler	aye
Mr. Hertzler	aye
Mr. Boggs	aye
Mr. Goldman	aye

Vote: 5-0

Date Adopted: 6/27/17



**\*Resolution 2017-121: Amending Pay Rate for Bookkeeper**

RESOLVED that the Ulysses Town Board set the pay for the Ulysses Bookkeeper to a pro-rated, annual, exempt salary of \$49,920.

Moved: Ms. Thomas

Seconded: Mr. Goldman

Ms. Thomas	aye
Ms. Zahler	aye
Mr. Hertzler	aye
Mr. Boggs	aye
Mr. Goldman	aye

Vote: 5-0

Date Adopted: 6/27/17

**JULY 11th, 2017 REGULAR TOWN BOARD MEETING**

**\*Resolution 2017-122: SEQR (State Environmental Quality Review) Determination For 1284 Taughannock Boulevard Land Acquisition**

**WHEREAS**, this is consideration of the land acquisition of approximately 4.2 acres located at 1284 Taughannock Blvd, Tax Parcel Number 27.-4-6; and

**WHEREAS**, this is an Unlisted Action for which the Town of Ulysses Town Board is acting in this uncoordinated environmental review with respect to a land acquisition; and

**WHEREAS**, the Town Board, on July 11, 2017, has reviewed and accepted as adequate a Short Environmental Assessment Form Parts 1, 2 and 3 prepared by Town staff;

**NOW THEREFORE BE IT RESOLVED:**

That the Town of Ulysses Town Board hereby makes a negative determination of environmental significance for the reasons set forth in the Environmental Assessment Form Parts 2 and 3 referenced above, in accordance with the New York State Environmental Quality Review Act for the above referenced action as proposed, and, therefore, an Environmental Impact Statement will not be required.

Moved: Mr. Boggs

Seconded: Ms. Zahler

Ms. Thomas	aye
Ms. Zahler	aye
Mr. Hertzler	aye
Mr. Boggs	aye
Mr. Goldman	aye

Vote: 5-0

Date Adopted: 7/11/17

**\*Amended Resolution 2017-123: Resolution Approving Acquisition Of Property At 1284**

### **Taughannock Boulevard And Authorizing Execution Of A Contract For Sale And Purchase**

**WHEREAS**, the Town Board seeks to purchase an approximately 4.2 acre vacant parcel of land located to the west of Taughannock Boulevard which borders a section of the Black Diamond Trail, known as Town of Ulysses tax parcel number 27.-4-6 ("the Property") from the County of Tompkins ("the County"); and

**WHEREAS**, a total of \$10,853 of delinquent taxes and foreclosure fees are owed on the parcel; and

**WHEREAS**, the Tompkins County Legislature adopted Resolution No. 2017-71 on April 18, 2017, which authorizes the County to execute an agreement with the Town to purchase the Property for \$5,427, spread out over a two-year period, and authorizes the County Administrator or his designee to execute other agreements necessary for the county to implement this transfer to the Town; and

**WHEREAS**, the Property is located within the lakeshore Natural Features Focus Area and in the Maplewood Glen and Lake Slopes Unique Natural Areas ("UNA's"); and

**WHEREAS**, preservation of UNA's is in accordance with the Town's Comprehensive Plan and the County's purpose of designating UNA's; and

**WHEREAS**, the conveyance will be subject to the following restrictive covenants ("the Restrictive Covenants"): There shall be no buildings or structures erected on said parcel, no timber harvest, and to protect views from the Black Diamond Trail, the natural vegetated buffer from 100' of the western boundary of the property shall be maintained; and

**WHEREAS**, the Town's proposed use of the Property is to preserve it as open space and provide an outdoor recreation area for members of the public; and

**WHEREAS**, §247(3) of the General Municipal Law provides that the acquisition of interests or rights in real property for the preservation of open spaces is a public purpose for which public funds may be expended and that such acquisition requires a public hearing subject to due notice;

**WHEREAS**, the Town's acquisition of land for public parks and playgrounds is not subject to a permissive referendum pursuant to Town Law §220(3) if the purchase is funded with surplus funds; and

**WHEREAS**, a public hearing on the proposed acquisition of the Property was held on July 11, 2017 at 7:15 p.m. at the Town Hall of the Town of Ulysses, 10 Elm Street, Trumansburg, NY 14886, and notice of such public hearing was duly given by posting at the Town Hall and publication in The Ithaca Journal on June 23, 2017; and

**WHEREAS**, the Town Board on July 11, 2017 issued a negative declaration under Article 8 of the Environmental Conservation Law and Regulations adopted pursuant thereto by the Department of Environmental Conservation of the State (collectively, "SEQR") with respect to the acquisition of the Property;

**NOW, THEREFORE, BE IT**

**RESOLVED** that the Town Board approves the acquisition of the Property from the County for a purchase price of \$5,427, spread out over a two-year period; and be it further

**RESOLVED** that the Town Supervisor is authorized to execute a Contract for Sale and Purchase of Real Property on behalf of the Town to purchase the Property from County for a purchase price of \$5,427, spread out over a

two-year period, subject to the Restrictive Covenants, and to execute all documents necessary to complete the conveyance of the Property to the Town pursuant to such Contract; and be it further

**RESOLVED** that such purchase price shall be paid from surplus funds.

Moved: Ms. Thomas

Seconded: Mr. Boggs

Ms. Thomas	aye
Ms. Zahler	aye
Mr. Hertzler	aye
Mr. Boggs	aye
Mr. Goldman	aye

Vote: 5-0

Date Adopted: 7/11/17

**\*Resolution 2017-124: Resolution Approving Acquisition Of Property On Salo Drive And Authorizing Execution Of A Contract For Sale And Purchase**

**WHEREAS**, the Town Board seeks to purchase 3 vacant parcels of land on Salo Drive along Trumansburg Creek, known as Village of Trumansburg tax parcel number 7.-6-1.1 and Town of Ulysses tax parcel numbers 11.-2-8.2 and 11.-2-11, consisting of approximately 32 acres ("the Property") from Habitat for Humanity ("Habitat"); and

**WHEREAS**, the Town's proposed use of the Property is to provide an outdoor recreation area for residents of the Village of Trumansburg and Town of Ulysses; and

**WHEREAS**, the Property contains wetlands and vernal pools, and is a buffer to Trumansburg Creek, and buffering Trumansburg Creek from development will help to preserve water quality from contaminants and sedimentation in Trumansburg Creek and Cayuga Lake; and

**WHEREAS**, the Town obtained an appraisal of the Property from Carol DiSanto, a certified real estate appraiser, which determined that the market value of the Property was \$74,000 as of June 21, 2016; and

**WHEREAS**, pursuant to a proposed Contract for Sale and Purchase of Real Property, the Town proposes to purchase the Property from Habitat for a purchase price of \$50,000; and

**WHEREAS**, the Town grant application in the amount of \$57,205 from the New York State Office of Parks, Recreation and Historic Preservation to reimburse the Town for the purchase price and costs of acquisition was approved; and

**WHEREAS**, §247(3) of the General Municipal Law provides that the acquisition of interests or rights in real property for the preservation of open spaces is a public purpose for which public funds may be expended and that such acquisition requires a public hearing subject to due notice; and

**WHEREAS**, the Town's acquisition of land for public parks and playgrounds is not subject to a permissive referendum pursuant to Town Law §220(3) if the purchase is funded with surplus funds; and

**WHEREAS**, a public hearing on the proposed acquisition of the Property was held on July 11, 2017 at 7:00 p.m. at the Town Hall of the Town of Ulysses, 10 Elm Street, Trumansburg, NY 14886, and notice of such public hearing was duly given by posting at the Town Hall and publication in The Ithaca Journal on June 23, 2017; and

**WHEREAS**, the Town Board on July 12, 2016 issued a negative declaration under Article 8 of the Environmental Conservation Law and Regulations adopted pursuant thereto by the Department of Environmental Conservation of the State (collectively, "SEQR") with respect to the acquisition of the Property;

**NOW, THEREFORE, BE IT**

**RESOLVED** that the Town Board approves the acquisition of the Property from Habitat for a purchase price of \$50,000, plus anticipated acquisition costs of \$7,205; and be it further

**RESOLVED** that the Town Supervisor is authorized to execute a Contract for Sale and Purchase of Real Property on behalf of the Town to purchase the Property from Habitat for a purchase price of \$50,000, and to execute all documents necessary to complete the conveyance of the Property to the Town pursuant to such Contract; and be it further

**RESOLVED** that such purchase price shall be paid from surplus funds; and be it further

**RESOLVED** that the Town will be reimbursed for the purchase price from grant funds from the New York State Office of Parks, Recreation and Historic Preservation.

Moved: Ms. Thomas                      Seconded: Mr. Goldman

*A roll-call vote was called by the Town Clerk.*

Ms. Thomas	aye
Ms. Zahler	aye
Mr. Hertzler	aye
Mr. Boggs	aye
Mr. Goldman	aye

Vote: 5-0  
Date Adopted: 7/11/17

**\*Resolution 2017-125: Amendment To Resolution Approving Acquisition Of Property At 1284 Taughannock Boulevard And Authorizing Execution Of A Contract For Sale And Purchase**

Resolved that the Ulysses town Board amend the Resolution Approving Acquisition of Property by taking out "closing costs" from the final sentence.

Moved: Ms. Zahler                      Seconded: Mr. Goldman

Ms. Thomas	aye
Ms. Zahler	aye
Mr. Hertzler	aye
Mr. Boggs	aye
Mr. Goldman	aye

Vote: 5-0  
Date Adopted: 7/11/17

**\*Resolution 2017-126: Approval Of Minutes: 6/27/17**

BE IT RESOLVED that the Ulysses Town Board approve the minutes of 6/27/17 as edited by Ms. Thomas.

Moved: Ms. Zahler

Seconded: Mr. Goldman

Ms. Thomas                aye  
Ms. Zahler                aye  
Mr. Hertzler              aye  
Mr. Boggs                aye  
Mr. Goldman              aye

Vote: 5-0

Date Adopted: 7/11/17

**\*Resolution 2017-127: Approval Of Claims**

BE IT RESOLVED that the Ulysses Town Board approve payment of claims #305 and 308-360 in the amount of \$126,693.81.

Moved: Ms. Thomas

Seconded: Mr. Boggs

Ms. Thomas                aye  
Ms. Zahler                aye  
Mr. Hertzler              aye  
Mr. Boggs                aye  
Mr. Goldman              aye

Vote: 5-0

Date Adopted: 7/11/17

**\*Resolution 2017-128: Approval Of Budget Modifications**

BE IT RESOLVED that the Ulysses Town Board approve the following budget modifications:

**A FUND BUDGET MODIFICATIONS**

A1320.4	Auditor CE	INCREASE	\$3,500.00
<i>To cover additional expenditures for Feb 2017 help with AUD &amp; Court Audit</i>			
A236	Assigned Funds – Audit	DECREASE	\$3,500.00
<i>A236 total balance will be reduced to \$36,098.61 (Audit portion to \$5,262.00)</i>			

A1940.4	Purchase of Land/ROW	INCREASE	\$50,000.00
<i>To cover purchase of Salo Dr- funds must come from fund balance</i>			
A917	Unassigned Fund Balance	DECREASE	\$50,000.00
<i>Approximately \$220,000 remaining in A fund Unassigned Fund Balance</i>			

A1940.4	Purchase of Land/ROW	INCREASE	\$2713.50
<i>To cover half of purchase of UNA property (1284 Taughannock Blvd.) funds must come from fund balance</i>			
A917	Unassigned Fund Balance	DECREASE	\$2713.50
<i>Approximately \$220,000 remaining in A fund Unassigned Fund Balance</i>			

B FUND BUDGET MODIFICATIONS

B8021.41	Planner CE Grant Expenses	INCREASE	\$9,500.00
<i>To cover grant expenditures for consultant not included in budget</i>			
B1990.4	B Fund Contingency	DECREASE	\$9,500.00
<i>B fund contingency account balance will be reduced to \$500.00</i>			

Moved: Ms. Thomas

Seconded: Mr. Boggs

Ms. Thomas            aye  
 Ms. Zahler            aye  
 Mr. Hertzler          aye  
 Mr. Boggs            aye  
 Mr. Goldman          aye

Vote: 5-0

Date Adopted: 7/11/17

**\*Resolution 2017-129: Designating A Realtor To Market Town-Owned Properties In Jacksonville**

**WHEREAS** the Town of Ulysses expects to close on the purchase of the building at 5020 Jacksonville Road and the parcel directly to the north, both currently owned by Exxon-Mobil, in the near future; and

**WHEREAS** one of the purposes of town ownership is to preserve the historic character of the old church on the property; and

**WHEREAS**, the Town intends to consolidate the two parcels to provide room for a septic system and offer the property for sale, subject to a deed restriction to preserve the exterior of the historic old church; and

**WHEREAS** the Town Board of the Town of Ulysses approved a request for qualifications (RFQ) to find a realtor to market the property on behalf of the Town; and

**WHEREAS** proposals received were evaluated based on the RFQ criteria,

**Therefore be it**

**RESOLVED** that the Town Board of the Town of Ulysses selects Margaret Hobbie of Realty USA to market the property once the Town acquires the property; and be it further

**RESOLVED** that the Town Supervisor is authorized to enter into a listing agreement with Margaret Hobbie of Realty USA to market the property contingent upon town approval of a sales contract.

Moved: Ms. Zahler

Seconded: Ms. Thomas

Ms. Zahler clarified that this is only for the old church and adjoining parcel.

Ms. Thomas            aye  
 Ms. Zahler            aye  
 Mr. Hertzler          aye  
 Mr. Boggs            aye

Mr. Goldman                      aye

Vote: 5-0

Date Adopted: 7/11/17

#### **EXECUTIVE SESSION**

Mr. Goldman made a motion to go into Executive Session at 9:52pm for the purpose of collective bargaining. This was seconded by Ms. Zahler and passed unanimously.

Mr. Goldman made a motion to end Executive Session at 10:20pm, seconded by Mr. Boggs and passed unanimously.

#### **\*Resolution 2017-130: Authorizing The Town Supervisor To Sign A Letter Of Engagement With Coughlin & Gerhart LLP**

Resolved that the Town Supervisor be authorized to sign a letter of engagement with Coughlin & Gerhart LLP to retain the legal services of Paul Sweeney to advise the Town Board on collective bargaining.

Moved: Ms. Zahler                      Seconded: Mr. Goldman

Ms. Thomas                      aye  
Ms. Zahler                      aye  
Mr. Hertzler                      aye  
Mr. Boggs                      aye  
Mr. Goldman                      aye

Vote: 5-0

Date Adopted: 7/11/17

#### **JULY 25<sup>th</sup>, 2017 REGULAR TOWN BOARD MEETING**

#### **\*Resolution 2017-131: Approval Of Meeting Agenda**

BE IT RESOLVED that the Ulysses Town Board approve the agenda for July 25, 2017 with the additions of an update from the library, an executive session for the purpose of labor negotiations, general contractor proposal for the old church in Jacksonville; and the removal of the real estate property tax discussion.

Moved: Ms. Thomas                      Seconded: Ms. Zahler

Ms. Thomas                      aye  
Ms. Zahler                      aye  
Mr. Hertzler                      aye  
Mr. Boggs                      aye  
Mr. Goldman                      aye

Vote: 5-0

Date Adopted: 7/25/17

#### **\*Resolution 2017-132: Letter Of Support For Trumansburg Community Recreation**

RESOLVED that the Ulysses Town Board authorizes the Town Supervisor to send a letter of support to Assemblywoman Lifton in support of the Trumansburg Community Recreation request for funding to show general support for the mission of Trumansburg Community Recreation; and further

RESOLVED that the Ulysses Town Board will need to understand the town's fiscal role before giving any final approval of a grant application for Trumansburg Community Recreation.

Moved: Ms. Thomas

Seconded: Mr. Boggs

Ms. Thomas	aye
Ms. Zahler	aye
Mr. Hertzler	aye
Mr. Boggs	aye
Mr. Goldman	aye

Vote: 5-0

Date Adopted: 7/25/17

**\*Resolution 2017-133: Issuing A Request For Contractor Bids For The Old Church In Jacksonville**

**WHEREAS**, the Town of Ulysses now owns the Old Church in Jacksonville, and,

**WHEREAS**, the Old Church is in need of minor repairs and cleaning to be prepared for re-sale, now therefore, be it

**RESOLVED**, that the Clerk is authorized to issue the attached Request for Bids from contractors to clean and repair the Old Church and further

**RESOLVED**, that all bids are due by 4:00PM August 8, 2017.

Moved: Ms. Zahler

Seconded: Mr. Goldman

Ms. Thomas	aye
Ms. Zahler	aye
Mr. Hertzler	aye
Mr. Boggs	aye
Mr. Goldman	aye

Vote: 5-0

Date Adopted: 7/25/17

**\*Resolution 2017-134: Accepting The Contract For Animal Control**

**WHEREAS** the Tompkins County Animal Control coalition provides a shared service for residents of the municipalities in the coalition to provide professional animal control services; and

**WHEREAS** the proposed 3-year contract is at no increase in costs from the past 3 years,

**RESOLVED** that the Town Board of Ulysses authorizes the Town Supervisor to sign the contract for Tompkins County Animal Control provided by the Tompkins County SPCA for 3 years beginning January 1, 2018 and ending December 31, 2020.

Moved: Mr. Goldman

Seconded: Mr. Boggs

Ms. Thomas	aye
Ms. Zahler	aye
Mr. Hertzler	aye



Mr. Boggs                      aye  
Mr. Goldman                  aye

Vote: 5-0  
Date Adopted: 7/25/17

**\*Resolution 2017-135: Setting Pay For Second Deputy Clerk**

**RESOLVED** that the Ulysses Town Board establishes the position of Second Deputy Town Clerk and understands that the Town Clerk has appointed Michele Mitrani as Second Deputy. The pay rate for the Second Deputy Town Clerk in 2017 is \$16/hour. Funding for this position will come from line Town Clerk CE A1410.4 in the budget.

Moved: Ms. Thomas                      Seconded: Ms. Zahler

Ms. Thomas                      aye  
Ms. Zahler                      aye  
Mr. Hertzler                      aye  
Mr. Boggs                      aye  
Mr. Goldman                      aye

Vote: 5-0  
Date Adopted: 7/25/17

**\*Resolution 2017-136: Approval Of Minutes: 7/11 Public Hearings And Town Board Meeting**

BE IT RESOLVED that the Ulysses Town Board approve the minutes of the 7/11 Public Hearings for Salo Drive and 1284 Taughannock Boulevard; and the town board meeting, as edited.

Moved: Ms. Thomas                      Seconded: Mr. Boggs

Ms. Thomas                      aye  
Ms. Zahler                      aye  
Mr. Hertzler                      aye  
Mr. Boggs                      aye  
Mr. Goldman                      aye

Vote: 5-0  
Date Adopted: 7/25/17

**\*Resolution 2017-137: Budget Modifications**

BE IT RESOLVED that the Ulysses Town Board approve the following budget modifications.

A FUND BUDGET MODIFICATIONS

A1220.11	Bookkeeper PS	INCREASE	\$10,998.85
<i>To move remaining balance in Deputy Supervisor PS to Bookkeeper PS</i>			
A1220.12	Deputy Supervisor PS	DECREASE	\$10,998.85
<i>To move remaining balance in Deputy Supervisor PS to Bookkeeper PS</i>			

A1220.11	Bookkeeper PS	INCREASE	\$6,000.00
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<i>To cover estimated remaining budget need through year end</i>			
A1990.4	A Fund Contingency	DECREASE	\$6,000.00
<i>Approximately \$9,000 remaining in A Fund Contingency</i>			
A5010.1	Highway Superintendent PS	INCREASE	\$7,634.70
<i>To cover pay out made in March 2017 of vacation time earned as non-elected employee prior to becoming an elected official.</i>			
A233	Employee Benefit and Accrued Liability RESERVE	DECREASE	\$7,634.70
<i>Approximately \$12,935.00 remaining in A233- Employee Benefit and Accrued Liability RESERVE. Reserve to pay for accrued benefit "due an employee on termination of the employee's service"</i>			
A1410.12 (NEW)	Second Deputy Town Clerk PS	INCREASE	\$450.00
<i>To transfer budget to cover new Second Deputy Town Clerk payroll</i>			
A1410.4	Town Clerk CE	DECREASE	\$450.00
<i>To transfer budget to cover new Second Deputy Town Clerk payroll</i>			
A9030.8	Social Security	INCREASE	\$1,200.00
<i>To cover employer portion of payroll taxes for additional payroll for A1220.11, A5010.1 &amp; A1410.12</i>			
A1990.4	A Fund Contingency	DECREASE	\$1,200.00
<i>Approximately \$7,800.00 remaining in A Fund Contingency</i>			
A9060.81	HSA Employer Contribution	INCREASE	\$1,406.25
<i>To cover prorated employer contribution to new employee's HSA</i>			
A1940.4	Purchase of Land/ROW	DECREASE	\$1,406.25
<i>Excess budget available due to restriction requiring land purchase to come from unassigned fund balance</i>			

Moved: Ms. Thomas

Seconded: Ms. Zahler

Ms. Thomas                aye  
 Ms. Zahler                aye  
 Mr. Hertzler               aye  
 Mr. Boggs                aye  
 Mr. Goldman               aye

Vote: 5-0

Date Adopted: 7/25/17

## AUGUST 8<sup>th</sup>, 2017 REGULAR TOWN BOARD MEETING

### \*Resolution 2017-138: Approval Of Meeting Agenda

BE IT RESOLVED that the Ulysses Town Board approve the agenda for August 8, 2017 with the additions of: an executive session to discuss collective bargaining, discussions for the sidewalk project and contractor bids for old church.

Moved: Ms. Thomas

Seconded: Mr. Boggs

Ms. Thomas	aye
Ms. Zahler	aye
Mr. Hertzler	absent
Mr. Boggs	aye
Mr. Goldman	aye

Vote: 4-0

Date Adopted: 8/8/17

**\*Resolution 2017-139: Sign Host Site Agreement For Electric Vehicle Charging Station**

**WHEREAS**, the Town of Ulysses was contacted by Energetics Incorporated to be a host site for an electric vehicle charging station with support provided by the New York State Energy Research and Development Authority (NYSERDA); and

**WHEREAS**, in May 2017, the Town Supervisor signed a Notice of Interest to participate in the NYSEDA initiative; and

**WHEREAS**, the contract installer visited Town Hall on July 6, 2017 to evaluate the installation; and

**WHEREAS** a final package from NYSEDA and Energetics Incorporated was received under NYSEDA Agreement 87421; and

**WHEREAS**, the NYSEDA project called "Animating the EV Market in NYS" includes the cost of the electric vehicle charging station and a portion of the installation costs, and the Town is responsible for excavation, a portion of the electrical work, and materials, which would not exceed \$4,563 and would likely be less due to high estimates;

**WHEREAS** the total cost of the project is \$17,011 with discounts and installer cost share of \$4448, and NYSEDA funding of \$8,000; and

**WHEREAS** the Town's cost share would be offset by \$2,500 in NYSEDA funds received from adopting the unified solar permit.  
Therefore be it

**RESOLVED**, that the Town Board authorizes the Town Supervisor to sign the "Approval for Installation Design Packages," a community letter of support, and the Electric Vehicle Station Host Site Agreement with Energetics Incorporated.

Moved: Ms. Thomas                      Seconded: Ms. Zahler

Ms. Thomas	aye
Ms. Zahler	aye
Mr. Hertzler	absent
Mr. Boggs	aye
Mr. Goldman	aye

Vote: 4-0

Date Adopted: 8/8/17

**\*Resolution 2017-140: Authorizing Supervisor To Authorize Trumansburg Mayor To**

### Approve Changes To Sidewalk Project

RESOLVED that the Town Board authorizes the Ulysses Town Supervisor to review and recommend scope of work change orders associated with the Town's portion of the joint Trumansburg/Ulysses Safe Routes to School and Daily Needs Sidewalk Project as long as the changes do not result in a net increase in the town's portion of the project budget as established under the contract agreement,

AND FURTHER RESOLVED that the Supervisor request that the Village of Trumansburg Mayor, as official project sponsor, authorize scope of work change orders.

Moved: Ms. Thomas                      Seconded: Ms. Zahler

Ms. Thomas	aye
Ms. Zahler	aye
Mr. Hertzler	absent
Mr. Boggs	aye
Mr. Goldman	aye

Vote: 4-0

Date Adopted: 8/8/17

### \*Resolution 2017-141: Authorizing Deputy Supervisor To Engage Contractors For Old Church

**WHEREAS**, the Town Board has authorized the cleaning and basic repairs of the Old Church and

**WHEREAS**, no bids have been received as of August 8, 2017 have not been sufficient to select a contractor, now therefore be it

**RESOLVED**, that the Ulysses Town Board authorize Nancy Zahler to seek at least two bids for cleaning and repairs and to select and contract with the contractor(s) that offer the best service for the lowest price.

Moved: Ms. Zahler                      Seconded: Ms. Thomas

Ms. Thomas	aye
Ms. Zahler	aye
Mr. Hertzler	absent
Mr. Boggs	aye
Mr. Goldman	aye

Vote: 4-0

Date Adopted: 8/8/17

### \*Resolution 2017-142: Introducing The Proposed Local Law To Amend Chapter 80 Of The Code Of The Town Of Ulysses

**WHEREAS**, the Town Board wishes to consider a proposed Local Law to amend Chapter 80 of the Code of the Town of Ulysses ("the Code"), which provides for the administration and enforcement of the New York State Uniform Fire Prevention and Building Code, the New York State Energy Conservation Construction Code, and all chapters of the Town of Ulysses Code and all laws, ordinances, rules and regulations of any agency having jurisdiction over the subject matter of said Chapter; and

**WHEREAS**, Municipal Home Rule Law §20(4) requires that a proposed local law be introduced by a Town Board member at a Town Board meeting;

**NOW, THEREFORE, BE IT**

**RESOLVED** that the proposed Local Law to amend Chapter 80 of the Code of the Town of Ulysses is hereby introduced to the Town Board for its review and consideration.

Moved: Ms. Thomas

Seconded: Mr. Goldman

Ms. Thomas	aye
Ms. Zahler	aye
Mr. Hertzler	absent
Mr. Boggs	aye
Mr. Goldman	aye

Vote: 4-0

Date Adopted: 8/8/17

**\*Resolution 2017-143: Scheduling A Public Hearing On The Proposed Amendment Of Chapter 80 Of The Code Of The Town Of Ulysses**

**WHEREAS**, a proposed Local Law to amend Chapter 80 of the Code of the Town of Ulysses ("the Code"), which provides for the administration and enforcement of the New York State Uniform Fire Prevention and Building Code, the New York State Energy Conservation Construction Code, and all chapters of the Town of Ulysses Code and all laws, ordinances, rules and regulations of any agency having jurisdiction over the subject matter of said Chapter was introduced at a Town Board meeting held on August 8, 2017 by a member of the Town Board; and

**WHEREAS**, Municipal Home Rule Law §20(5) requires a public hearing before a local law is adopted by the Town Board, which public hearing must be held upon at least five days' notice;

**NOW, THEREFORE, BE IT**

**RESOLVED** that the Town Board shall hold a public hearing on Sept. 12, 2017 at 6:30pm at the Town Hall, 10 Elm Street, Trumansburg, NY 14886 on the proposed local law to amend Chapter 80 of the Code of the Town of Ulysses; and be it further

**RESOLVED** that the Town Clerk shall cause notice of such public hearing to be published and posted at least five days before the date thereof.

Moved: Ms. Thomas

Seconded: Mr. Boggs

Ms. Thomas	aye
Ms. Zahler	aye
Mr. Hertzler	absent
Mr. Boggs	aye
Mr. Goldman	aye

Vote: 4-0

Date Adopted: 8/8/17

**\*Resolution 2017-144: Authorizing Submission Of Application To The Justice Assistance Program**

**WHEREAS** the State of New York offers assistance to local municipal courts through the Justice Court Assistance Program (JCAP), and

**WHEREAS** the court justices are applying to update the surveillance camera system and several other items for the spaces used by the court, and

**WHEREAS** JCAP grants have no requirement for a local match,

**Therefore, be it**

**RESOLVED** that the Ulysses Town Board gives approval for Justice Mark Dresser to submit an application for grant funding to NYS JCAP.

Moved: Ms. Thomas

Seconded: Mr. Boggs

Ms. Thomas	aye
Ms. Zahler	aye
Mr. Hertzler	absent
Mr. Boggs	aye
Mr. Goldman	aye

Vote: 4-0

Date Adopted: 8/8/17

**\*Resolution 2017-145: Override Of The Tax Levy Limit Established In General Municipal Law §3- C**

**BE IT RESOLVED** that the Town Board of the Town of Ulysses will hold a Public Hearing on the proposed Local Law # \_\_ of 2017 to override the NYS tax levy limit as allowed by General Municipal Law §3- C. The Public Hearing will be on September 12, 2017 at 6:45 pm at the Ulysses Town Hall at 10 Elm St. Trumansburg, NY, and further

**RESOLVED** the Ulysses Town Clerk will ensure the proper notice of the Public Hearing in the newspaper, on the Clerk's bulletin board, the website and the town listserv.

Moved: Ms. Thomas

Seconded: Ms. Zahler

Ms. Thomas	aye
Ms. Zahler	aye
Mr. Hertzler	absent
Mr. Boggs	aye
Mr. Goldman	aye

Vote: 4-0

Date Adopted: 8/8/17

**\*Resolution 2017-146: Setting Pay Rate For Temporary Highway Employee**

**RESOLVED** that the Town Board of the Town of Ulysses sets the pay rate for temporary Highway Department employee, Richard Baker, at \$21.45/hour, the same rate he is paid at his employment with the County Highway Department, effective May 1, 2017.

Moved: Ms. Zahler

Seconded: Mr. Boggs

Ms. Thomas	aye
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Ms. Zahler	aye
Mr. Hertzler	absent
Mr. Boggs	aye
Mr. Goldman	aye

Vote: 4-0

Date Adopted: 8/8/17

**\*Resolution 2017-147: Amending The Rules And Procedures For Town Board Meetings**

**BE IT RESOLVED** that the Town Board of the Town of Ulysses amends the Rules and Procedures for Town Board meetings as presented and amended, and further

**RESOLVED** that the Town Clerk distribute these amended rules and procedures to all staff and elected officials for their policy notebooks.

Moved: Ms. Thomas

Seconded: Ms. Zahler

Ms. Thomas	aye
Ms. Zahler	aye
Mr. Hertzler	absent
Mr. Boggs	aye
Mr. Goldman	aye

Vote: 4-0

Date Adopted: 8/8/17

**\*Resolution 2017-148: Cancelling Second Meeting In August**

**RESOLVED** that the Town Board of the Town of Ulysses cancels the August 22 meeting of the Town Board.

Moved: Ms. Thomas

Seconded: Mr. Goldman

Ms. Thomas	aye
Ms. Zahler	aye
Mr. Hertzler	absent
Mr. Boggs	aye
Mr. Goldman	aye

Vote: 4-0

Date Adopted: 8/8/17

**\*Resolution 2017-149: Approval Of Minutes: 7/25/17**

**BE IT RESOLVED** that the Ulysses Town Board approve the minutes of 7/25/17.

Moved: Mr. Goldman

Seconded: Ms. Thomas

Ms. Thomas	aye
Ms. Zahler	aye
Mr. Hertzler	absent
Mr. Boggs	aye
Mr. Goldman	aye

Vote: 4-0

Date Adopted: 8/8/17

**\*Resolution 2017-150: Approval Of Claims**

BE IT RESOLVED that the Ulysses Town Board approve payment of claims # 361-403 in the amount of \$54,259.07.

Moved: Ms. Thomas

Seconded: Mr. Boggs

Ms. Thomas	aye
Ms. Zahler	aye
Mr. Hertzler	absent
Mr. Boggs	aye
Mr. Goldman	aye

Vote: 4-0

Date Adopted: 8/8/17

**AUGUST 22<sup>nd</sup>, 2017 SPECIAL TOWN BOARD MEETING**

**\*Resolution 2017-151: Authorizing Expenditure Of Funds For Old Church Repair**

RESOLVED the Ulysses Town Board authorizes up to \$15,000 from the A fund for repairs of the old Jacksonville church for the purposes of

- Cleaning out debris from interior
- Removing asbestos interior tile
- Patching the roof and repairing the framing to stop leaks
- Installing foundation screening
- Signage

Moved: Mr. Goldman

Seconded: Mr. Boggs

Ms. Thomas	aye
Ms. Zahler	aye
Mr. Hertzler	absent
Mr. Boggs	aye
Mr. Goldman	aye

Vote: 4-0

Date Adopted: 8/22/17

**\*Motion To Rescind Previous Resolution**

The board decided to add Ms. Zahler's name to the resolution.

Mr. Goldman made a motion to rescind the previous resolution, seconded by Mr. Boggs and passed unanimously.

**\*Resolution 2017-151: Authorizing Expenditure Of Funds For Old Church Repair**

RESOLVED the Ulysses town board authorizes Deputy Supervisor, Nancy Zahler to spend up to \$15,000 from the A fund for repairs of the old Jacksonville church as per town procurement policies for the purposes of:

- Cleaning out debris from interior
- Removing asbestos interior tile
- Patching the roof and repairing the framing to stop leaks



- Installing foundation screening
- Signage

Moved: Ms. Zahler                      Seconded: Ms. Thomas

Ms. Thomas	aye
Ms. Zahler	aye
Mr. Hertzler	absent
Mr. Boggs	aye
Mr. Goldman	aye

Vote: 4-0

Date Adopted: 8/22/17

## SEPTEMBER 12<sup>nd</sup>, 2017 REGULAR TOWN BOARD MEETING

### \*Resolution 2017-152: Approval Of Meeting Agenda

BE IT RESOLVED that the Ulysses Town Board approve the agenda for Sept 12, 2017 with the additions of: trying to find dates for the budget meeting, surplus truck resolution, declaring the Jacksonville church surplus.

Moved: Ms. Thomas                      Seconded: Mr. Boggs

Ms. Thomas	aye
Ms. Zahler	aye
Mr. Hertzler	aye
Mr. Boggs	aye
Mr. Goldman	absent

Vote: 4-0

Date Adopted: 9/12/17

### \*Resolution 2017-153: Recognizing The Chair Of The Board Of Zoning Appeals For His Years Of Service

**WHEREAS**, George Tselekis served as a member and the Chair of the Town of Ulysses Board of Zoning Appeals for almost 30 years – from his first appointment in February 1988 until his resignation in August 2017; and

**WHEREAS**, George served on a number of valuable zoning amendment committees including the Lakeshore Committee and the current Zoning Update Steering Committee; and

**WHEREAS**, George's review and decision making was fair and level-headed, always giving thoughtful consideration to the matters before the board with a professional approach.

#### **NOW THEREFORE BE IT RESOLVED**

That the Town Board of the Town of Ulysses extends its heartfelt gratitude and appreciation to George Tselekis for his many years of service.

Moved: Ms. Thomas                      Seconded: Mr. Boggs

Ms. Thomas	aye
Ms. Zahler	aye
Mr. Hertzler	aye
Mr. Boggs	aye

Mr. Goldman                      absent

Vote: 4-0

Date Adopted: 9/12/17

**\*Resolution 2017-154: Appointing A Board Of Zoning Appeals Member To Fill Out The Remaining Term On The Board Of Zoning Appeals**

**WHEREAS**, George Tselekis resigned from the Board of Zoning Appeals as of August 30, 2017; and  
**WHEREAS**, Cheryl Thompson has been an alternate on the Board of Zoning Appeals since December 2014;  
**NOW THEREFORE BE IT RESOLVED** that the Town Board of the Town of Ulysses hereby appoints Cheryl Thompson to fill remaining term, vacated by George Tselekis, that expires on December 31, 2017.

Moved: Ms. Thomas                      Seconded: Mr. Boggs

Ms. Thomas	aye
Ms. Zahler	aye
Mr. Hertzler	aye
Mr. Boggs	aye
Mr. Goldman	absent

Vote: 4-0

Date Adopted: 9/12/17

**\*Resolution 2017-155: Objecting To The DEC Permitting Cargill Mine Expansion Without Proper Environmental Review**

**WHEREAS** the first Cayuga Salt Mine shaft was drilled in 1915 and Cargill, Inc. ("Cargill") was permitted mining reserves that extend into the Town of Ulysses; and  
**WHEREAS**, the Town of Ulysses recognizes the economic, social, recreational, and ecological importance of Cayuga Lake and its watershed to the State and to the local community; and  
**WHEREAS** Ulysses Water Districts 3 and 4 obtain drinking water from Cayuga Lake via the Southern Cayuga Lake Intermunicipal Water Commission, as do many lake shore residents; and  
**WHEREAS** New York has established the State Environmental Quality Review (SEQR) process to systematically consider environmental factors early in the planning stages of actions and projects that are directly undertaken, funded or approved by local, regional and state agencies; and  
**WHEREAS** environmental review early in the planning stages allows a project to be vetted, and modified as needed, to avoid adverse impacts on the environment; and  
**WHEREAS** Cargill's proposed shaft construction, the mining of the one-mile connecting tunnel, and expanded salt mining have potential adverse impacts that have not been properly reviewed as a whole and vetted under SEQR in contrast to the Hampton Corners Salt Mine in Livingston County which is carrying out its second Draft Environmental Impact Statement; and  
**WHEREAS** SEQR discourages the "segmentation" of projects, meaning that the environmental review of a single action or project should not be divided into various activities or stages as though they were independent, unrelated activities, resulting in a less complete environmental review than would be required for the single action or project; and  
**WHEREAS** NYSDEC has nevertheless issued Cargill a permit to construct Shaft #4 which is proposed to be connected to Cargill's ongoing salt mining operations under Cayuga Lake, with such permit issuance being

based on an improperly “segmented” environmental review which treats shaft construction and ongoing salt mining as independent, unrelated activities; and

**WHEREAS** both the shaft construction and the ongoing salt mining have potential adverse impacts that have not been properly reviewed and vetted under SEQR; and

**WHEREAS** adverse impacts include impacts on local water resources, including groundwater and the waters of Cayuga Lake and various ways in which substantial quantities of salt would be incidentally brought into contact with such local water resources, not only during current mining operations but also during the post-operational period after the mine is closed and abandoned; and

**WHEREAS** “the abandonment of dry salt mines raises a difficult problem, as post-abandonment mine flooding is, in most cases, highly probable, with possible severe consequences at ground level;” and

**WHEREAS** “the majority of salt mines succumb to collapse and flooding” and “flooding, whether intentional or inadvertent, is ...‘game over’ for successful containment or control of the salinity associated with the brine that will inevitably be squeezed out of the mine;” and

**WHEREAS** some of the adverse impacts involve gradual sagging or other loss of mechanical integrity of rock layers above the mine; and

**WHEREAS** the “carbonate beam supporting the overlying rocks in the area north of the present mine under the Cayuga Lake has been eroded out or greatly thinned,” resulting in “a geological condition with more risk than the Retsof mine was in, before it collapsed;” and

**WHEREAS** subsidence is an ongoing process that also tends to open up groundwater flow pathways in bedrock above a mine; and

**WHEREAS** the 1994 collapse and flooding of the Retsof salt mine in Livingston County and subsequent salinization of an adjacent fresh water aquifer provide an example of various adverse impacts and some of the factors implicated in salt-mine collapse; and

**WHEREAS** these and other potential adverse impacts on the environment should be subject to full and proper environmental review under SEQR; and

**WHEREAS** since 1975, and despite several applications for mine expansion by Cargill, the NYSDEC has never requested a full environmental impact study of the mining risks; and

**WHEREAS** the NYSDEC reviewed the Cargill Shaft 4 project and concluded that the action meets their standards, and on 16 August 2017 issued an applicable permit without full environmental review of the project in its entirety; now therefore, be it

**RESOLVED** that the Town of Ulysses joins with other municipalities and Cayuga Lake stakeholders in a soon-to-be-filed Article 78 proceeding to require environmental review under SEQR pertaining to all Cargill’s proposed projects including Cargill’s Shaft 4 project and all proposed construction and expansion of the Cargill Mine; and be it further

**RESOLVED** that a copy of this resolution be forwarded by the Town Clerk to Governor Andrew Cuomo, NYSDEC Commissioner Basil Seggos, State Senators Patricia Helming and Thomas O’Mara, Senate Leader John Flanagan, Senate Minority Leader Andrea Stewart-Cousins, Assemblywoman Barbara Lifton, Assembly Speaker Carl Heastie, Assembly Minority leader Brian Kolb, Chair of the Assembly’s Standing Committee on Environmental Conservation Steve Englebright, Village of Trumansburg Mayor Martin Petrovic, and Tompkins County Legislature Chair Michael Lane.

Moved: Mr. Hertzler

Seconded: Ms. Thomas

Ms. Thomas	aye
Ms. Zahler	aye
Mr. Hertzler	aye
Mr. Boggs	nay
Mr. Goldman	absent

Vote: 3-1

Date Adopted: 9/12/17

**\*Resolution 2017-156: Establishing A Capital Improvement Reserve Fund For The General Part-Town Fund (B Fund- General Part-Town)**

**WHEREAS** the Town Board intends to clarify the establishment of all its reserves according to NYS General Municipal Law (GML), and

**WHEREAS** each reserve will be reestablished indicating the kind of reserve according to GML Article 2 §6-c

**NOW, THEREFORE, BE IT**

**RESOLVED** that pursuant to GML Article 2 §6-c, as amended, there is hereby established a capital improvement reserve fund in the General Part-Town Fund (B Fund) to be known as the “General Part-Town Capital Improvement Reserve Fund” (hereinafter in this resolution “Reserve Fund”). The purpose of this Reserve Fund is to accumulate moneys to finance the cost of capital improvements within the Town but outside the Village and will be classified as a “capital improvement reserve” fund per Office of the State Comptroller guidelines.

The chief fiscal officer of the Town is hereby directed to deposit and secure the moneys of this Reserve Fund in the manner provided by §10 of the General Municipal Law. The chief fiscal officer of the Town may invest the moneys in the Reserve Fund in the manner provided by Section 11 of the General Municipal Law, and consistent with the investment policy of the Town. Any interest earned or capital gains realized on the moneys so deposited or invested shall accrue to and become part of the Reserve Fund. The chief fiscal officer shall account for the Reserve Fund in a manner which maintains the separate identity of the Reserve Fund and shows the date and amount of each sum paid into the fund, interest earned by the fund, capital gains or losses resulting from the sale of investments of the fund, the amount and date of each withdrawal from the fund and the total assets of the fund, showing cash balance and a schedule of investments, and shall, at the end of each fiscal year, render to the Town Board a detailed report of the operation and condition of the Reserve Fund.

Except as otherwise provided by law, expenditures from this Reserve Fund shall be made only for the capital improvements outside the village of Trumansburg. No expenditure shall be made from this Reserve Fund without the approval of this governing board and such additional actions or proceedings as may be required by §6-c of the GML and any other law.

Expenditures from this Reserve Fund shall be subject to permissive referendum pursuant to §6-c of the GML.

Moved: Ms. Thomas

Seconded: Mr. Boggs

Ms. Thomas	aye
Ms. Zahler	aye
Mr. Hertzler	abstain
Mr. Boggs	aye
Mr. Goldman	absent

Vote: 3-0

Date Adopted: 9/12/17

**\*Resolution 2017-157: Authorizing Transfer Of Unexpended Balance From One Capital Improvement Reserve To Another In The B Fund (General Part-Town).**

**WHEREAS** the Town Board intends to clarify the establishment of all its reserves according to NYS General Municipal Law (GML), and

**WHEREAS** each reserve will be reestablished indicating the kind of reserve according to GML Article 2 §6-c, and

**WHEREAS**, the Town Board established a capital reserve fund by resolution adopted on February 11, 2003 for capital projects; and

**WHEREAS**, this capital reserve fund has been known by fund balance account code of B878 and asset account code B232; and

**WHEREAS**, the balance in Capital Reserve Fund B878 ("Fund B878") as of September 6, 2017 was \$70,680.52; and

**WHEREAS**, the Town Board wishes to transfer the funds from Fund B878 to a newly created capital improvement reserve fund (a "type" fund) for the purpose of capital improvements outside the Village of Trumansburg; and

**WHEREAS** transfers of funds from Fund B878 are subject to permissive referendum pursuant to GML §6-c(9)(b),

**NOW, THEREFORE, BE IT**

**RESOLVED** that the full balance in the amount of \$70,680.52 be transferred from Fund B878 to the newly created General Part-Town Fund Capital Improvement Reserve Fund; and further

**RESOLVED** that this resolution is subject to permissive referendum pursuant to GML §6-c(9)(b); and be it further

**RESOLVED** that the Town Clerk will post and publish notice of the permissive referendum in accordance to law and provide a copy of such notice to the Town Supervisor.

Moved: Ms. Thomas

Seconded: Mr. Boggs

Ms. Thomas	aye
Ms. Zahler	aye
Mr. Hertzler	abstain
Mr. Boggs	aye
Mr. Goldman	absent

Vote: 3-0

Date Adopted: 9/12/17

**\*Resolution 2017-158: Establishing A Capital Improvement Reserve Fund For The General Part-Town Fund (A Fund- General Town-Wide)**

**WHEREAS** the Town Board intends to clarify the establishment of all its reserves according to NYS General Municipal Law (GML), and

**WHEREAS** each reserve will be reestablished indicating the kind of reserve according to GML Article 2 §6-c,

**NOW, THEREFORE, BE IT**

**RESOLVED** that pursuant to GML Article 2 §6-c, as amended, there is hereby established a capital improvement reserve fund in the General Fund (A Fund) to be known as the “General Fund Capital Improvement Reserve Fund” (hereinafter “Reserve Fund”). The purpose of this Reserve Fund is to accumulate moneys to finance the cost of capital improvements within the Town General Fund (A Fund) and will be classified as a “capital improvement reserve” fund per Office of the State Comptroller guidelines.

The chief fiscal officer of the Town is hereby directed to deposit and secure the moneys of this Reserve Fund in the manner provided by §10 of the General Municipal Law. The chief fiscal officer of the Town may invest the moneys in the Reserve Fund in the manner provided by Section 11 of the General Municipal Law, and consistent with the investment policy of the Town. Any interest earned or capital gains realized on the moneys so deposited or invested shall accrue to and become part of the Reserve Fund. The chief fiscal officer shall account for the Reserve Fund in a manner which maintains the separate identity of the Reserve Fund and shows the date and amount of each sum paid into the fund, interest earned by the fund, capital gains or losses resulting from the sale of investments of the fund, the amount and date of each withdrawal from the fund and the total assets of the fund, showing cash balance and a schedule of investments, and shall, at the end of each fiscal year, render to the Town Board a detailed report of the operation and condition of the Reserve Fund.

Except as otherwise provided by law, expenditures from this Reserve Fund shall be made only for the capital improvements. No expenditure shall be made from this Reserve Fund without the approval of this governing board and such additional actions or proceedings as may be required by §6-c of the GML and any other law.

Expenditures from this Capital Improvement Reserve Fund shall be subject to permissive referendum pursuant to §6-c of the GML.

Moved: Ms. Thomas                      Seconded: Mr. Boggs

Ms. Thomas	aye
Ms. Zahler	aye
Mr. Hertzler	abstain
Mr. Boggs	aye
Mr. Goldman	absent

Vote: 3-0  
Date Adopted: 9/12/17

**\*Resolution 2017-159: Authorizing Transfer Of Unexpended Balance From One Capital Improvement Reserve To Another In The A Fund (General Fund Town-Wide)**

**WHEREAS** the Town Board intends to clarify the establishment of all its reserves according to NYS General Municipal Law (GML), and

**WHEREAS** each reserve will be reestablished indicating the kind of reserve according to GML Article 2 §6-c, and

**WHEREAS**, the Town Board established a capital reserve fund by resolution adopted on December 11, 1984 for capital projects; and

**WHEREAS**, this capital reserve fund has been known by fund balance account code A878 and asset account code A234; and

**WHEREAS**, the balance in Capital Reserve Fund A878 ("Fund A878") as of September 6, 2017 was \$60,749.72; and

**WHEREAS**, the Town Board wishes to transfer the funds from Fund A878 to a newly created capital improvement reserve fund (A "type" fund) for the purpose of capital improvements; and

**WHEREAS** transfers of funds from Fund B878 are subject to permissive referendum pursuant to GML §6-c(9)(b).

**NOW, THEREFORE, BE IT**

**RESOLVED** that the full balance in the amount of \$60,749.72 be transferred from Fund A878 to the newly created General Fund Capital Improvement Reserve Fund; and be it further

**RESOLVED** that this resolution is subject to permissive referendum pursuant to GML §6-c (9)(b); and be it further

**RESOLVED** that the Town Clerk will post and publish notice of the permissive referendum in accordance to law and provide a copy of such notice to the Town Supervisor.

Moved: Ms. Thomas

Seconded: Mr. Boggs

Ms. Thomas	aye
Ms. Zahler	aye
Mr. Hertzler	abstain
Mr. Boggs	aye
Mr. Goldman	absent

Vote: 3-0

Date Adopted: 9/12/17

**\*Resolution 2017-160: Adopting Local Law 1 Of 2017- A Local Law To Amend Chapter 80 Of The Code Of The Town Of Ulysses ("The Code"), Which Provides For The Administration And Enforcement Of The New York State Uniform Fire Prevention And Building Code, The New York State Energy Conservation Construction Code And The Property Maintenance Code Of New York.**

**WHEREAS** the Town of Ulysses previously adopted Local Law #1 of 2007 and Local Law # 5 of 2014 and Local Law # 1 of 2016 to enforce provisions of the New York State Uniform Fire Prevention and Building Code; and **WHEREAS**, the Town Board seeks to clarify all the codes that are subject to enforcement by the Town, and to modify the penalties for failure to comply; and

**WHEREAS** the final version of this law was presented to the Ulysses Town Board on Tuesday, August 8, 2017 and introduced at a Town Board meeting on Tuesday, August 8, 2017 and

**WHEREAS** the public hearing date was set by resolution of the Town Board on Tuesday, August 8, 2017 to be held on Tuesday, September 12, 2017 and

**WHEREAS** notice of the public hearing was published in the Ithaca Journal on August 19, 2017 and posted as required by law; and

**WHEREAS** a public hearing was held on September 12, 2017,

**NOW, THEREFORE, BE IT**

**RESOLVED** that the Ulysses Town Board hereby adopts Local Law #1 of 2017: A Local Law to Amend Chapter 80 of the Code of the Town of Ulysses ("the Code"), which provides for the Administration and Enforcement of

the New York State Uniform Fire Prevention and Building Code, The New York State Energy Conservation Construction Code And The Property Maintenance Code Of New York.

Moved: Ms. Zahler

Seconded: Mr. Hertzler

Ms. Thomas	aye
Ms. Zahler	aye
Mr. Hertzler	aye
Mr. Boggs	aye
Mr. Goldman	absent

Vote: 4-0

Date Adopted: 9/12/17

**\*Resolution 2017-161: To Adopt Local Law 2 Of 2017-Override Of The Tax Levy Limit Established In General Municipal Law §3- C**

**WHEREAS**, municipalities of the State of New York are limited in the amount of real property taxes that may be levied each year under the tax levy limit established in General Municipal Law §3-c, and

**WHEREAS**, subdivision 5 of General Municipal Law §3-c expressly authorizes a municipality to override the tax levy limit if the town government decides to adopt a budget with a property tax levy that exceeds the level set by the State, by the adoption of a local law approved by vote of at least sixty percent (60%) of the governing body, and

**WHEREAS** the final version of Local Law No. 2 of 2017 was presented to the Ulysses Town Board at a Town Board meeting on Tuesday, August 8, 2017; and

**WHEREAS** the Public Hearing date was set by resolution of the Ulysses Town Board on Tuesday, August 8 2017, for the Public Hearing to be on September 12, 2017 at 6:45 p.m. at the Ulysses Town Hall; and

**WHEREAS**, notice of a public hearing on Local Law No. 2 of 2017 was advertised as required by law in the Ithaca Journal on Saturday, August 19, 2017, and

**WHEREAS**, said public hearing was duly held on September 12, 2017 and all parties in attendance were permitted an opportunity to speak in favor of or in opposition to the Local Law entitled "A LOCAL LAW TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW §3- C", or any part thereof; and

**WHEREAS**, the Town Board of the Town of Ulysses reviewed and discussed a proposed local law to override the tax levy limit, and

**WHEREAS** until the tentative budget is ready at the end of September, it is impossible to know whether the Town will be able to stay under this potential limit; and

**WHEREAS** by the time the town knows if it can stay within the tax levy limit, it is too late to file a local law to override the tax levy limit.

**WHEREAS**, in the event the Town of Ulysses annual tax levy exceeds the allowable tax levy limit due to their own decisions or cost increases outside their control, New York State has the authority to penalize the Town unless the Town has formally given itself permission to exceed the tax cap, and



**WHEREAS**, adopting this local law is not predictive of the final tax levy but will provide the Town of Ulysses Town Board the flexibility to exceed the Property Tax Cap if it is deemed necessary, and

**THEREFORE BE IT RESOLVED** that the Town of Ulysses Town Board enacts a local law to override the tax levy limit for the fiscal year 2018, as follows:

LOCAL LAW NUMBER 2 of 2017, TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW §3- C

Be it enacted by the Town Board of the Town of Ulysses as follows:

Section 1. Legislative Intent: It is the intent of this local law to override the limit on the amount of real property taxes that may be levied by the Town of Ulysses, County of Tompkins pursuant to General Municipal Law §3-c, and to allow the Town of Ulysses, County of Tompkins to adopt a town budget for (a) town purposes, (b) fire protection districts, and (c) any other special or improvement district, and Town improvements provided pursuant to Town Law Article 12-C, governed by the Town Board for the fiscal year beginning January 1, 2018 and ending December 31, 2018 that requires a real property tax levy in excess of the “tax levy limit” as defined by General Municipal Law §3-c.

Section 2. Authority: This local law is adopted pursuant to subdivision 5 of General Municipal Law §3-c, which expressly authorizes the Town Board to override the tax levy limit by the adoption of a local law approved by vote of at least sixty percent (60%) of the Town Board.

Section 3. Tax Levy Limit Override: The Town Board of the Town of Ulysses, County of Tompkins is hereby authorized to adopt a budget for the fiscal year 2018 that requires a real property tax levy in excess of the limit specified in General Municipal Law §3-c.

Section 4. Severability: If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance, shall be adjusted by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this Local Law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 5. Effective date: This local law shall take effect immediately upon filing with the Secretary of State.

**AND FURTHER RESOLVED**, that the Town Clerk file this local law with the Secretary of State as required by law and notify the Town Supervisor when the local law is in effect.

Moved: Ms. Thomas

Seconded: Mr. Boggs

Ms. Thomas	aye
Ms. Zahler	aye
Mr. Hertzler	aye
Mr. Boggs	aye
Mr. Goldman	absent

Vote: 4-0

Date Adopted: 9/12/17

**\*Resolution 2017-162: Authorizing The Town Supervisor To Contract With Nelson Streeter Construction Co. For The Improvement Of The Pedestrian Access In And Around Town Hall**

**WHEREAS** working through Fisher Associates, the Town of Ulysses, in conjunction with the Village of Trumansburg, properly selected Nelson & Streeter Construction Company Inc. (hereafter Nelson & Streeter) through the bid process to install sidewalks with funding from the Safe Routes to School program, and

**WHEREAS** the sidewalk in front of Town Hall is indistinguishable from the road pavement making the pedestrian path unclear, and

**WHEREAS** due to the prevalence of paving in the area, there is no place for stormwater to penetrate into the soil—a preferable stormwater management technique, and

**WHEREAS** beautification of Elm Street is in accordance with the Village sidewalk plan and the County Beautification plan, therefore, be it

**RESOLVED** that the Town Board of the Town of Ulysses authorizes the Town Supervisor to sign paperwork to contract with Nelson & Streeter Construction Company Inc. to replace the Town Hall sidewalk in accordance to the design presented to the town board at the bid price quoted by Nelson & Streeter dated 8/29/2017 for the base bid and alternate 2, at a cost not to exceed \$41,170 if the Village of Trumansburg decides not to install sidewalks from the Town Hall to Route 96 (alternate 1).

Moved: Ms. Thomas

Seconded: Mr. Boggs

Ms. Thomas	aye
Ms. Zahler	aye
Mr. Hertzler	nay
Mr. Boggs	aye
Mr. Goldman	absent

Vote: 3-1

Date Adopted: 9/12/17

**\*Resolution 2017-163: Commencement Of An Action Pursuant To Article 15 Of The Real Property Actions And Proceedings Law To Clear Title To The Real Property Located At 1284 Taughannock Boulevard In The Town Of Ulysses, Tax Parcel Number 27.-4-6**

**WHEREAS**, the Town Board by resolution adopted on August 8, 2017 approved the purchase of an approximately 4.2 acre vacant parcel of land located to the west of Taughannock Boulevard which borders a section of the Black Diamond Trail, known as Town of Ulysses tax parcel number 27.-4-6 (“the Property”) from the County of Tompkins (“the County”); and

**WHEREAS**, the Property was conveyed to the Town by Quitclaim Deed dated August 23, 2017 and recorded in the Tompkins County Clerk’s Office on September 8, 2017 as Instrument Number 2017-10370; and

**WHEREAS**, the Property is located within the lakeshore Natural Features Focus Area and in the Maplewood Glen and Lake Slopes Unique Natural Areas (“UNA’s”), and preservation of UNA’s is in accordance with the Town’s Comprehensive Plan and the County’s purpose of designating UNA’s; and

**WHEREAS**, the Town’s proposed use of the Property is to preserve it as open space and provide an outdoor recreation area for members of the public, and possibly convey it to the State of New York in the future, in which case clear title to the Property will be required; and

**WHEREAS**, title to the Property is not clear; and

**WHEREAS**, Article 15 of the Real Property Actions and Proceedings Law (“RPAPL”) entitled “Action to Compel the Determination of a Claim to Real Property” provides for a court action to obtain clear title, also known as a “Quiet Title Action”; and

**NOW, THEREFORE, BE IT**

**RESOLVED** that the Town Board hereby authorizes the commencement of a Quiet Title Action pursuant to RPAPL Article 15 with regard to the Property; and be it further

**RESOLVED** that the Town Supervisor is hereby authorized to sign all pleadings and other necessary documents in connection with such action on behalf of the Town.

Moved: Mr. Hertzler                      Seconded: Mr. Boggs

Ms. Thomas	aye
Ms. Zahler	aye
Mr. Hertzler	aye
Mr. Boggs	aye
Mr. Goldman	absent

Vote: 4-0  
Date Adopted: 9/12/17

**\*Resolution 2017-164: Approving Commencement Of Action Pursuant To Article 15 Of The Real Property Actions And Proceedings Law To Clear Title To The Real Property Located At 5020 Jacksonville Road In The Town Of Ulysses, Tax Parcel Number 25.-4-26**

**WHEREAS**, the real property located at 5020 Jacksonville Road in the Town of Ulysses, tax parcel number 25.-4-26 (hereafter “the Property”) was conveyed to the Town by Bargain and Sale Deed with Limited Covenants for Grantor’s Acts dated July 13, 2017 and recorded in the Tompkins County Clerk’s Office on July 20, 2017 as Instrument Number 2017-08149; and

**WHEREAS**, title to the Property is not clear; and

**WHEREAS**, Article 15 of the Real Property Actions and Proceedings Law (“RPAPL”) entitled “Action to Compel the Determination of a Claim to Real Property” provides for a court action to obtain clear title, also known as a “Quiet Title Action”; and

**WHEREAS**, the Town wishes to sell the property to a purchaser subject to restrictive covenants that require preservation of the historic exterior of the Property;

**NOW, THEREFORE, BE IT**

**RESOLVED** that the Town Board hereby authorizes the commencement of a Quiet Title Action pursuant to RPAPL Article 15 with regard to the Property; and be it further

**RESOLVED** that the Town Supervisor is hereby authorized to sign all pleadings and other necessary documents in connection with such action on behalf of the Town.

Moved: Ms. Zahler                      Seconded: Mr. Boggs

Ms. Thomas	aye
Ms. Zahler	aye
Mr. Hertzler	aye
Mr. Boggs	aye
Mr. Goldman	absent

Vote: 4-0

Date Adopted: 9/12/17

**\*Resolution 2017-165: Approving Lease Of Office Space In Town Hall**

**WHEREAS**, the Town Board has the power to lease Town property, pursuant to Town Law §64(2), subject to a permissive referendum; and

**WHEREAS** Nelson & Streeter Construction Company Inc. is in need of a temporary office during construction of sidewalks in the Town of Ulysses and Village of Trumansburg; and

**WHEREAS**, there is space available for rent in the Town Hall of the Town of Ulysses;

**NOW, THEREFORE, BE IT**

**RESOLVED** that the Town Board approves the lease of office space in town hall to Nelson & Streeter Construction Company Inc. on a month-to-month basis, and be it further

**RESOLVED** that the Town Supervisor is authorized to enter into a lease agreement containing the terms set forth in this resolution, after review by the Attorney for the Town, and, be it further

**RESOLVED**, that this resolution is subject to a permissive referendum.

Moved: Ms. Thomas                      Seconded: Ms. Zahler

Ms. Thomas	aye
Ms. Zahler	aye
Mr. Hertzler	aye
Mr. Boggs	aye
Mr. Goldman	absent

Vote: 4-0

Date Adopted: 9/12/17

**\*Resolution 2017-166: Declaring The Real Property Located At 5020 Jacksonville Road In The Town Of Ulysses, Tax Parcel Number 25.-4-26 As Surplus Property**

**WHEREAS**, the real properties located at 5020 Jacksonville Road in the Town of Ulysses, tax parcel number 25.-4-26, and 5036 Jacksonville Road 25.-4-27 (hereafter “the Property”) were conveyed to the Town by Bargain and Sale Deed with Limited Covenants for Grantor’s Acts dated July 13, 2017 and recorded in the Tompkins County Clerk’s Office on July 20, 2017 as Instrument Number 2017-08149; and

**WHEREAS**, the Town has the power pursuant to Town Law §64(2) to convey real property, provided that such property is not required for the Town's own use and is not held for public use, and is therefore surplus property; and

**WHEREAS**, the Property is not required for the Town's own use and is not held for public use;

**NOW, THEREFORE, BE IT**

**RESOLVED** that the Town Board hereby declares that the Property is surplus property; and be it further

**RESOLVED** that any disposition of the Property shall be authorized by further resolution of the Town Board, subject to a permissive referendum as required by Town Law §64(2) and other applicable provisions of law.

Moved: Ms. Zahler

Seconded: Mr. Boggs

Ms. Thomas	aye
Ms. Zahler	aye
Mr. Hertzler	aye
Mr. Boggs	aye
Mr. Goldman	absent

Vote: 4-0

Date Adopted: 9/12/17

**\*Resolution 2017-167: Declaring The Volvo Dump Truck Surplus**

BE IT RESOLVED that the Ulysses Town Board declares the following equipment belonging to the town is surplus and can be sent to auction, sold or disposed of by the Highway Superintendent:

2001 Volvo Dump Truck with Single Rear Axle, VIN #4V5J38UFX1N871579.

Moved: Ms. Thomas

Seconded: Ms. Zahler

Ms. Thomas	aye
Ms. Zahler	aye
Mr. Hertzler	aye
Mr. Boggs	aye
Mr. Goldman	absent

Vote: 4-0

Date Adopted: 9/12/17

**\*Resolution 2017-168: Approval Of Minutes: 8/8/17 And 8/22/17**

BE IT RESOLVED that the Ulysses Town Board approve the minutes of 8/8/17 and 8/22/17 as edited by Ms. Zahler.

Moved: Ms. Zahler

Seconded: Ms. Thomas

Ms. Thomas	aye
Ms. Zahler	aye
Mr. Hertzler	aye
Mr. Boggs	aye

Mr. Goldman                      absent

Vote: 4-0

Date Adopted: 9/12/17

**\*Resolution 2017-169: Budget Modifications**

BE IT RESOLVED that the Ulysses Town Board approve the following budget modifications.

**A FUND BUDGET MODIFICATIONS**

A7520.4	Historical Property CE	INCREASE	\$15,000.00
<i>To cover expenses related to the Jacksonville properties</i>			
A1940.4	Purchase of Land/ROW	DECREASE	\$15,000.00
<i>Excess budget available due to restriction requiring land purchase to come from unassigned fund balance</i>			
A1620.2	Town Hall	INCREASE	\$2,500.00
<i>To cover a portion of the cost of the EV charging station</i>			
A236	Assigned Funds – Energy	DECREASE	\$2,500.00
<i>A236 total balance will be reduced to \$36,098.61 (Energy portion to \$0.00)</i>			

Moved: Ms. Thomas

Seconded: Ms. Zahler

Ms. Thomas                      aye  
Ms. Zahler                        aye  
Mr. Hertzler                      aye  
Mr. Boggs                         aye  
Mr. Goldman                      absent

Vote: 4-0

Date Adopted: 9/12/17

**\*Resolution 2017-170: Approval Of Claims**

BE IT RESOLVED that the Ulysses Town Board approve payment of claims # 404-458 in the amount of \$127,318.92.

Moved: Ms. Thomas

Seconded: Mr. Boggs

Ms. Thomas                      aye  
Ms. Zahler                        aye  
Mr. Hertzler                      aye  
Mr. Boggs                         aye  
Mr. Goldman                      absent

Vote: 4-0

Date Adopted: 9/12/17

**SEPTEMBER 26<sup>th</sup>, 2017 REGULAR TOWN BOARD MEETING**

**\*Resolution 2017-171: Approval Of Meeting Agenda**

BE IT RESOLVED that the Ulysses Town Board approve the agenda for September 26, 2017 with the additions of general announcements, an update on the church and an executive session.

Moved: Mr. Hertzler                      Seconded: Ms. Zahler

Ms. Thomas	aye
Ms. Zahler	aye
Mr. Hertzler	aye
Mr. Boggs	aye
Mr. Goldman	aye

Vote: 5-0

Date Adopted: 9/26/17

**\*Resolution 2017-172: Memorandum Of Understanding With The Jacksonville Community Association About The Jacksonville Park**

**WHEREAS**, the Town of Ulysses (Town) and the Jacksonville Community Association (JCA) share a commitment to maintaining public access to community green spaces, and

**WHEREAS**, the JCA needs partial support to maintain their Community Park for neighborhood and Town residents and

**WHEREAS**, the Town is willing to consider requests for supplies, equipment, and in-kind services to help maintain the Park, now therefore, be it

**RESOLVED**, that the Town Board authorize the Supervisor to enter into the Memorandum of Understanding with the JCA to clarify the roles and responsibilities of the Town and the JCA in relation to the Jacksonville Community Park.

Moved: Ms. Thomas                      Seconded: Ms. Zahler

Ms. Thomas	aye
Ms. Zahler	aye
Mr. Hertzler	aye
Mr. Boggs	aye
Mr. Goldman	aye

Vote: 5-0

Date Adopted: 9/26/17

**\*Resolution 2017-173: Acknowledging The Audit Of The Court Was Completed**

**WHEREAS** NYS requires an annual audit of the finances of the Ulysses Town Justice Courts, either by Town Board members or by an auditing firm, and

**WHEREAS** Insero & Co, CPAs was contracted to audit the finances of the Town Justice Courts in 2017, for the 2016 fiscal year,

**THEREFORE BE IT**

**RESOLVED** that the Town of Ulysses Board acknowledges the audit of the Justice Courts was completed by Insero & Co, CPAs and sent to the Ulysses Town Supervisor on September 7, 2017 and to the Town Board on September 21, 2017.

Moved: Ms. Thomas                      Seconded: Mr. Boggs

Ms. Thomas	aye
Ms. Zahler	aye

Mr. Hertzler                aye  
Mr. Boggs                aye  
Mr. Goldman               aye

Vote: 5-0

Date Adopted: 9/26/17

**\*Resolution 2017-174: Appointing A Chair To The Board Of Zoning Appeals**

**RESOLVED** that the Town Board of the Town of Ulysses appoints Bob Howarth to serve as the Chair of the Board of Zoning Appeals for the remainder of 2017.

Moved: Ms. Thomas                Seconded: Ms. Zahler

Ms. Thomas                aye  
Ms. Zahler                aye  
Mr. Hertzler               aye  
Mr. Boggs                aye  
Mr. Goldman               aye

Vote: 5-0

Date Adopted: 9/26/17

**\*Resolution 2017-175: Approving The Cleaning Contract For The Ulysses Town Hall**

**WHEREAS**, the current cleaning contract has expired, and

**WHEREAS** the job has been re-bid and 5 bids were received, and

**WHEREAS** Independence Cleaners submitted one of the lowest bids, and

**WHEREAS** three references were provided by the bidder, checked by the Town Clerk and found to be favorable,

**NOW THEREFORE, BE IT RESOLVED** that the Ulysses Town Board authorize the Town Supervisor to sign a contract with Independence Cleaners at a rate not to exceed \$480/month (or \$5760/yr) for the purpose of cleaning the town hall on a weekly basis for a period from September 30-Dec. 31, 2017.

Moved: Ms. Thomas                Seconded: Ms. Zahler

Ms. Thomas                aye  
Ms. Zahler                aye  
Mr. Hertzler               aye  
Mr. Boggs                aye  
Mr. Goldman               aye

Vote: 5-0

Date Adopted: 9/26/17

**\*Resolution 2017-176: 9/7 Fire & EMS, 9/12 Public Hearings & Town Board Meeting**

**BE IT RESOLVED** that the Ulysses Town Board approve the minutes of the Town Board meetings on the 9/12 Public Hearing on Tax cap override, 9/12 Public Hearing on Code Enforcement Local Law, and 9/12 town board meeting as edited by Ms. Zahler and Mr. Boggs.

Moved: Ms. Thomas                Seconded: Mr. Boggs

Ms. Thomas                aye  
Ms. Zahler                aye



Mr. Hertzler	aye
Mr. Boggs	aye
Mr. Goldman	aye

Vote: 5-0

Date Adopted: 9/26/17

## OCTOBER 10<sup>th</sup>, 2017 REGULAR TOWN BOARD MEETING

### \*Resolution 2017-177: Approval Of Meeting Agenda

BE IT RESOLVED that the Ulysses Town Board approve the agenda for Sept 12, 2017 with the addition of an executive session to discuss union negotiations.

Moved: Mr. Boggs                      Seconded: Mr. Goldman

Ms. Thomas	aye
Ms. Zahler	absent
Mr. Hertzler	aye
Mr. Boggs	aye
Mr. Goldman	aye

Vote: 4-0

Date Adopted: 10/10/17

### \*Resolution 2017-178: Authorizing A Grant Application Submission To NYSERDA's Clean Energy Communities Program

**WHEREAS**, the Town of Ulysses was designated as a NYSERDA Clean Energy Community (CEC) by completing four high impact action items and is now eligible for \$100,000 in grant funding; and

**WHEREAS**, at a meeting on July 25, 2017, the Town Board discussed components for the CEC grant application: 1) to replace the Town Hall heating and cooling system to increase energy efficiency and 2) if funding allows, to establish a fund to help low and moderate income residents with energy improvements; and possibly 3) if funds for energy improvements on residents' homes are unclaimed after 18 months, the remaining funds will be used to purchased additional solar energy to cover the additional electric needs for the Town Hall.

**WHEREAS**, town staff, the chair of the Conservation and Sustainability Advisory Council, and Town Supervisor worked with the CEC coordinator to develop the grant application;

**NOW THEREFORE BE IT RESOLVED**, that the Town Board of the Town of Ulysses authorizes the Town Supervisor to sign a letter of commitment and submit the CEC grant application to NYSERDA, and

**FURTHER RESOLVED**, that the town board needs to approve the system used to distribute funding to residents.

Moved: Ms. Thomas                      Seconded: Ms. Zahler

Ms. Thomas	aye
Ms. Zahler	aye
Mr. Hertzler	aye
Mr. Boggs	aye
Mr. Goldman	aye

Vote: 5-0  
Date Adopted: 10/10/17

**\*Resolution 2017-179: Setting The Public Hearing Date For The 2018 Budget**

**WHEREAS** the Town Supervisor presented the 2018 Tentative Budget to the Town Clerk and the Town Board on September 26, 2017, and

**WHEREAS** the Town Board discussed and considered the 2018 Tentative Budget at meetings on 9/28, 10/5, and 10/10/2017,

Now, therefore be it

**RESOLVED** that the Town Board accepts the Preliminary Budget for 2018 as presented at the 10/10/2017 meeting for the Town of Ulysses, and further

**RESOLVED** that the Town Board hold a public hearing at 10 Elm Street, Trumansburg, NY, on Tuesday, October 24, 2017 at 7:00 p.m. for the purpose of hearing public comments on the Town of Ulysses 2018 Preliminary Budget.

Moved: Ms. Thomas

Seconded: Mr. Goldman

Ms. Thomas	aye
Ms. Zahler	aye
Mr. Hertzler	aye
Mr. Boggs	aye
Mr. Goldman	aye

Vote: 5-0  
Date Adopted: 10/10/17

**\*Resolution 2017-180: Relevy Of Delinquent Water Fees**

**WHEREAS** Town Code Chapter 261 and Town Code Chapter 210 provide for all delinquent accounts for payment of water and sewer rents and related charges to be placed on the ensuing years tax roll as a re-levy; and

**WHEREAS**, \$5857.10 of delinquent water charges, inclusive of penalties and related surcharges, spanning from the last 4 billing periods (August 2016 to May 2017) remain unpaid and due to the Town as of Oct.1, 2017 and need to be re-levied onto the 2018 Town and County Tax Bills;

**NOW THEREFORE BE IT RESOLVED**, that the Ulysses Town Board approves the relevy of delinquent water charges totaling \$5857.10 for re-levy to the 2018 Town and County Tax Roll; and be it further

**RESOLVED**, that a certified copy of this resolution along with a listing of those re-levied water charges will be delivered to Tompkins County Assessment Department by the Town Receiver of Taxes for the purpose of adding these delinquent charges to the 2018 Town and County Tax Roll.

Moved: Ms. Thomas

Seconded: Mr. Boggs

Ms. Thomas	aye
Ms. Zahler	aye
Mr. Hertzler	aye
Mr. Boggs	aye
Mr. Goldman	aye

Vote: 5-0  
Date Adopted: 10/10/17

**\*Resolution 2017-181: Approval Of Recreation Partnership Contract**

**WHEREAS**, the Town of Ulysses is currently a member of the Inter-municipal Recreation Partnership; and  
**WHEREAS**, the Recreation Partnership has been an excellent and cost efficient model of inter-municipal collaboration which enables municipalities to jointly plan, finance, and share a diverse set of high quality recreation programs; and  
**WHEREAS**, any municipality may withdraw from the Inter-municipal Recreation Partnership agreement upon a full calendar year's notice,.

**Now Therefore Be It RESOLVED** that the Town of Ulysses agrees to enter into the Inter-municipal Recreation Partnership agreement for 5 years, beginning January 1, 2018 and expiring December 31, 2022 and further **RESOLVED**, that a copy of this resolution be sent by the Town Clerk of Ulysses to the Recreation Partnership Board care of Tompkins County Youth Services Department at 320 W. State/MLK Jr. St, Ithaca, NY 14850, attention Janice Johnson.

Moved: Mr. Hertzler                      Seconded: Ms. Zahler

Ms. Thomas	aye
Ms. Zahler	aye
Mr. Hertzler	aye
Mr. Boggs	aye
Mr. Goldman	aye

Vote: 5-0

Date Adopted: 10/10/17

**\*Resolution 2017-182: Change To Personnel Policy Section On Health Savings Accounts**

**RESOLVED** that the Town Board of the Town of Ulysses amends its Personnel Policy, section 706—Health Savings Accounts to the following:

**Health Savings Accounts** (amended 11/22/16, 10/10/2017)

The IRS allows employers and eligible employees to contribute to HSAs. The Town will contribute to a health savings account (HSA) for each employee who is eligible and signed up for health insurance through the town. Annually, the town board will contribute an amount not to exceed 50% of the in-network, out-of-pocket maximum. Employees or Elected Officials may contribute pretax dollars to their HSA in addition to funds the town has contributed up to the combined allowable limit as determined by the IRS. Funds belong to the employee or elected official, subject to IRS regulations.

Moved: Mr. Hertzler                      Seconded: Mr. Goldman

Ms. Thomas	aye
Ms. Zahler	aye
Mr. Hertzler	aye
Mr. Boggs	aye
Mr. Goldman	aye

Vote: 5-0

Date Adopted: 10/10/17

**\*Resolution 2017-183: Approval Of Minutes: 9/26**

BE IT RESOLVED that the Ulysses Town Board approve the minutes of 9/26/17.

Moved: Ms. Zahler                      Seconded: Mr. Boggs

Ms. Thomas	aye
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Ms. Zahler                    aye  
 Mr. Hertzler                aye  
 Mr. Boggs                   aye  
 Mr. Goldman                aye

Vote: 5-0

Date Adopted: 10/10/17

**\*Resolution 2017-184: Budget Modifications**

BE IT RESOLVED that the Ulysses Town Board approve the following budget modifications.

**A FUND BUDGET MODIFICATIONS**

A1620.2	Town Hall EQ	INCREASE	\$13,200.00
<i>To cover remaining budget needed for Town Hall sidewalk project</i>			
A1990.4	A Fund Contingency	DECREASE	\$7,800.00
<i>A fund contingency balance will be reduced to \$0.00</i>			
A1450.4	Elections CE	DECREASE	\$4,000.00
<i>To move the budget from Elections CE to Town Hall EQ</i>			
A1620.4	Town Hall CE	DECREASE	\$1,400.00
<i>To move a portion of the budget from Town Hall CE to Town Hall EQ</i>			

Moved: Ms. Thomas

Seconded: Ms. Zahler

Ms. Thomas                aye  
 Ms. Zahler                 aye  
 Mr. Hertzler               abstain  
 Mr. Boggs                  aye  
 Mr. Goldman               aye

Vote: 4-0

Date Adopted: 10/10/17

**\*Resolution 2017-185: Approval Of Claims**

BE IT RESOLVED that the Ulysses Town Board approve payment of claims #459-514 in the amount of \$52,190.01.

Moved: Ms. Thomas

Seconded: Mr. Boggs

Ms. Thomas                aye  
 Ms. Zahler                 aye  
 Mr. Hertzler               aye  
 Mr. Boggs                  aye  
 Mr. Goldman               aye

Vote: 5-0

Date Adopted: 10/10/17

## OCTOBER 12<sup>TH</sup>, 2017 SPECIAL TOWN BOARD MEETING

### \*Resolution 2017-186: Approval Of Meeting Agenda

BE IT RESOLVED that the Ulysses Town Board approve the agenda for October 12, 2017.

Moved: Mr. Boggs

Seconded: Ms. Zahler

Ms. Thomas	aye
Ms. Zahler	aye
Mr. Hertzler	aye
Mr. Boggs	aye
Mr. Goldman	aye

Vote: 5-0

Date Adopted: 10/12/17

### \*Resolution 2017-187: Authorizing Use Of Funds From The Town Of Ulysses General Fund Capital Improvement Reserve Fund (A878) For The Improvement Of The Pedestrian Access In And Around Town Hall

WHEREAS, the Town of Ulysses General Fund Capital Improvement Reserve Fund (A878) may be used for capital projects, and

WHEREAS the Town Board authorized the contract with Nelson & Streeter Construction Company Inc to replace the Town Hall sidewalk in accordance to the design presented to the town board at the bid price quoted by Nelson & Streeter Construction Company Inc dated 8/29/2017 for the base bid and alternate 2, at a cost not to exceed \$41,170.00, and

WHEREAS, pursuant to General Municipal Law, an expenditure from the General Fund Capital Improvement Reserve Fund requires authorization by the Town Board, and such authorization is subject to a permissive referendum; and

WHEREAS, use of reserve fund A878 falls within the purposes for which the General Fund Capital Improvement Reserve Fund was established;

THEREFORE BE IT RESOLVED that the Town of Ulysses authorizes up to \$30,000 to be spent in 2017 from the General Fund Capital Improvement Reserve Fund A878 for the purposes of replacing the Town Hall sidewalk in accordance with the design presented to the town board; and be it further

RESOLVED that pursuant to General Municipal Law, this resolution is subject to a permissive referendum; and be it further

RESOLVED that the Town Clerk will post and publish notice of the permissive referendum in accordance to law and provide a copy of such notice to the Town Supervisor.

Moved: Ms. Thomas

Seconded: Mr. Boggs

#### DISCUSSION:

Mr. Goldman asked why the resolution and permissive referendum process are happening now.

Ms. Thomas stated that usually, this would have been done sooner, but the Attorney for the Town advised the re-creation of reserves in advance of the project, and this has delayed the process. The board discussed the issue further.

Ms. Thomas	aye
Ms. Zahler	aye
Mr. Hertzler	nay
Mr. Boggs	aye

Mr. Goldman                      abstain

Vote: 3-1

Date Adopted: 10/12/17

**\*Resolution 2017-188: Authorizing Use Of Funds From The Town Of Ulysses General Part-Town Capital Improvement Reserve Fund (B878) For The Construction Of Sidewalk For The Safe Routes To School Grant**

WHEREAS, the Town of Ulysses General Part-Town Capital Improvement Reserve Fund (B878) may be used for capital projects in the Town of Ulysses outside the Village of Trumansburg, and

WHEREAS the Village of Trumansburg and the Town of Ulysses were awarded a collaborative federally funded grant, titled Pedestrian Commuting in Trumansburg: Safe Routes to School Project, that requires a local match which includes direct funding as well as in-kind contributions, and

WHEREAS the Town Board approved the 2017 budget which specifies the use of the capital reserve for this sidewalk project in the amount of \$31,043, and

WHEREAS the sidewalk project is underway and bills will need to be paid for construction of the sidewalk project, and

WHEREAS, pursuant to General Municipal Law, an expenditure from the General Part-Town Capital Improvement Reserve Fund requires authorization by the Town Board, and such authorization is subject to a permissive referendum; and

WHEREAS, use of reserve fund B878 falls within the purposes for which the General Part-Town Capital Improvement Reserve Fund was established;

THEREFORE BE IT RESOLVED that the Town of Ulysses authorizes up to \$31,043 to be spent in 2017 from the General Part-Town Capital Improvement Reserve Fund B878 for the purposes of building a sidewalk as specified in the scope of work from the Trumansburg Fairgrounds to the ShurSave Grocery Store; and be it further

RESOLVED that pursuant to General Municipal Law, this resolution is subject to a permissive referendum; and be it further

RESOLVED that the Town Clerk will post and publish notice of the permissive referendum in accordance to law and provide a copy of such notice to the Town Supervisor.

Moved: Ms. Thomas                      Seconded: Mr. Boggs

Ms. Thomas	aye
Ms. Zahler	aye
Mr. Hertzler	aye
Mr. Boggs	aye
Mr. Goldman	abstain

Vote: 4-0

Date Adopted: 10/12/17

**OCTOBER 18<sup>th</sup>, 2017 SPECIAL TOWN BOARD MEETING**

**\*Resolution 2017-189: Approving Restrictive Covenant Terms**

RESOLVED that restrictive covenant language provided by the Attorney for the Town and amended by the Town Board at the 10/18/17 meeting be included in a restrictive covenant for the town property at 5020 Jacksonville Road.

Moved: Ms. Zahler

Seconded: Mr. Hertzler

DISCUSSION:

Ms. Thomas stated for the record that she is very strongly opposed to keeping the stairs out of the restrictive covenant, based on her conversations with historic preservationists and others who are concerned about the church.

Ms. Zahler shared that she thinks they should handle the stairs issue by awarding bonus points via the criteria rating system.

Mr. Goldman fears that too many restrictions will make it difficult to find a buyer.

Ms. Thomas	nay
Ms. Zahler	aye
Mr. Hertzler	aye
Mr. Boggs	aye
Mr. Goldman	aye

Vote: 4-1

Date Adopted: 10/18/17

**OCTOBER 24<sup>TH</sup>, 2017 REGULAR TOWN BOARD MEETING**

**\*Resolution 2017-190: Approval Of Meeting Agenda**

BE IT RESOLVED that the Ulysses Town Board approve the agenda for October 24, 2017 with the additions of a budget modification, appointment of a BZA alternate, approval of criteria for selecting a buyer for the church, and an executive session requested by Ms. Zahler and Mr. Goldman if time permits.

Moved: Ms. Thomas

Seconded: Mr. Boggs

Ms. Thomas	aye
Ms. Zahler	aye
Mr. Hertzler	aye
Mr. Boggs	aye
Mr. Goldman	aye

Vote: 5-0

Date Adopted: 10/24/17

**\*Resolution 2017-191: Setting A Joint Public Hearing For The Fire Contract**

RESOLVED that the Ulysses Town Board hold a Public Hearing on the 2018 Fire Contract at 6:45p.m. on 11/14/2017 at the Ulysses Town Hall. The towns of Hector and Covert are invited.

Moved: Ms. Thomas

Seconded: Ms. Zahler

Ms. Thomas	aye
Ms. Zahler	aye
Mr. Hertzler	aye
Mr. Boggs	aye
Mr. Goldman	aye

Vote: 5-0

Date Adopted: 10/24/17

**\*Rescinding The Resolution To Set The Public Hearing For Fire Contract**

After further discussion and closer reading of the fire contract, the board decided to postpone the public hearing to ask the Village for some minor corrections to the contracts.

RESOLUTION 2017-192: MOTION TO RESCIND THE RESOLUTION TO SET A PUBLIC HEARING FOR THE FIRE CONTRACT

Moved: Ms. Zahler

Seconded: Mr. Goldman

Ms. Thomas                      aye

Ms. Zahler                      aye

Mr. Hertzler                      aye

Mr. Boggs                      aye

Mr. Goldman                      aye

Vote: 5-0

Date Adopted: 10/24/17

**\*Resolution 2017-193: Approval Of Records Management Policy**

**WHEREAS** the Town of Ulysses needs to have a consistent policy to guide and govern its records and

**WHEREAS**, the Town Clerk has developed and the Town Board has reviewed a proposed Records Management Policy and Procedures, now therefore, be it

**RESOLVED**, the Town Board adopt the proposed the 2017 Records Management Policy and further

**RESOLVED**, the Records Management Officer (RMO) shall develop guidance documents to enable the Town Board and staff to implement the approved policy and procedures.

Moved: Ms. Zahler

Seconded: Mr. Goldman

Ms. Thomas                      aye

Ms. Zahler                      aye

Mr. Hertzler                      aye

Mr. Boggs                      aye

Mr. Goldman                      aye

Vote: 5-0

Date Adopted: 10/24/17

**\*Resolution 2017-194: Speed Reduction Request For Routes 89**

**WHEREAS** traffic to Taughannock Falls State Park has increased over recent decades, and

**WHEREAS** Taughannock Falls State Park is bisected by NYS Route 89 creating a dangerous pedestrian crossing, and

**WHEREAS** the cross walk across Route 89 within the park limits is at the bottom of a hill with difficult sight lines for traffic coming from both north and south, and

**WHEREAS** Gorge Road and Taughannock Park Road both have non-perpendicular entrances onto NYS Route 89 with difficult sight lines and frequent accidents,

**THEREFORE, BE IT**

**RESOLVED** that the Ulysses Town Board requests a reduction in the speed limit to 30 mph on NYS Route 89 in the proximity of Taughannock Falls State Park where the speed limit is currently 40 mph.

Moved: Ms. Thomas

Seconded: Ms. Zahler

Ms. Thomas                      aye



Ms. Zahler	aye
Mr. Hertzler	aye
Mr. Boggs	nay
Mr. Goldman	aye

Vote: 4-1

Date Adopted: 10/24/17

#### **\*Resolution 2017-195: Speed Reduction Request For Route 96**

**WHEREAS**, the Town of Ulysses and Village of Trumansburg are currently installing sidewalks with funding from a U.S. Transportation Alternatives Program (TAP) "Safe Routes to School" grant, and

**WHEREAS**, one of the sidewalks runs along NYS Route 96 where there is currently a speed limit of 45 mph, and

**WHEREAS**, an additional crosswalk will be added in the 45 mph zone, making for two crosswalks in the new sidewalk area, and

**WHEREAS** many residents in this 45 mph zone need to make a left hand turn to the main local grocery store in this 45mph zone which has resulted in many rear end traffic accidents in the past, and

**WHEREAS** south of the 45 mph zone on NYS Route 96, the road curves and slopes down to Taughannock Park Road- a very dangerous intersection for left hand turns due to limited sight distance, high traffic to the park, 55 mph speed limit, and its location at the bottom of two hills.

#### **THEREFORE BE IT**

**RESOLVED** that for the safety of both pedestrians and drivers, the Ulysses Town Board requests a speed limit reduction to 30 mph on NYS Route 96 south from the Village of Trumansburg line to the intersection of Rt 96 with Rabbit Run and Taughannock Park Road.

Moved: Ms. Thomas

Seconded: Mr. Hertzler

Ms. Thomas	aye
Ms. Zahler	aye
Mr. Hertzler	aye
Mr. Boggs	nay
Mr. Goldman	aye

Vote: 4-1

Date Adopted: 10/24/17

#### **\*Resolution 2017-196: Support For The U.S. Post Office In Jacksonville**

**WHEREAS** the U.S. Post Office in the hamlet of Jacksonville, Town of Ulysses has been in continuous operation from various locations in the Hamlet since 1820, and;

**WHEREAS** the Post Office represents a vital service for people of the hamlet and surrounding rural areas, including some 100 box holders, some two dozen home-based businesses, other commercial establishments, and a significant population of seniors, individuals with limited transportation, low income individuals, and individuals who receive prescription deliveries via the Jacksonville PO.;

**WHEREAS** the Hamlet of Jacksonville has been designated a Development Focus Area (Rural Center) by Tompkins County, in part because of the presence of a certain amount of services and infrastructure, including a U.S. Post Office;

**WHEREAS** the Town Board understands that the lease on the current Post Office facility expires on December 31st, 2017, but is not aware of efforts to extend this lease, to identify an alternate location within the hamlet, to issue any notification to the public of potential closure, or to provide an opportunity for public comment;

**THEREFORE**, be it resolved that the Town Board of the Town of Ulysses;

Strongly supports continuation of a post office within the hamlet as a corner stone public service which contributes to ongoing efforts to revitalize the hamlet;

Urges authorized parties of the U.S. postal service and the Blue Ox/Nice and Easy Corporation (owner of the current facility) to engage in negotiations, without delay and on an urgent basis, with the objective of extending or renewing the lease on the current post office facility;

Notes the disruptive and detrimental impact any closure of the Jacksonville post office would have on the hamlet and the surrounding community and express particular concern about the potential phase out/closure during winter months;

Encourages the U.S. Post Office to make a real effort to locate an alternative location within the hamlet for its operations if it does not appear feasible to continue in the current leased location, and to solicit public suggestions;

Calls upon Postal Service authorities to clarify the situation without delay, and, should any changes in the status of said Post Office be contemplated, to implement, and adhere to the legal and procedural requirements contained in the Postal Operations Manual, Section 211.6 and its sub-sections relating to Post Office Closings, including provisions for public notification, right to public comment, right to appeal, and required minimum times between public notification of proposed actions and final decision(s).

Requests the assistance and support of U.S., New York, and Tompkins County elected officials and their staff to ensure that sufficient consideration is given to the impact on the community of any proposed Post Office closure in Jacksonville, that genuine efforts have been made to continue operations at the current facility or at an alternate location within the hamlet of Jacksonville, and that any consideration of closure adhere to the procedures and time lines contained in the Postal Operations Manual and supporting legislation.

**RESOLVES** to remain apprised of any further developments on this subject;

Decides to transmit copies of this resolution to the Offices of U.S. Senator Charles Schumer and U.S. Senator Kirsten Gillibrand, U.S. Representative Tom Reed, New York State Senator Thomas O'Mara, the Tompkins County Legislature, the U.S. Postal Service District Manager for Western Pennsylvania and New York, and the Post Master of Trumansburg, New York.

Moved: Ms. Zahler

Seconded: Mr. Goldman

Ms. Thomas	aye
Ms. Zahler	aye
Mr. Hertzler	aye
Mr. Boggs	aye
Mr. Goldman	aye

Vote: 5-0

Date Adopted: 10/24/17

#### **\*Resolution 2017-197: Appointment Of BZA (Board Of Zoning Appeals) Alternate**

**WHEREAS** the Town of Ulysses has advertised through their listserv and on their website that an opening for the alternate position on the BZA, and

**WHEREAS** candidates who submitted applications have been interviewed by a committee consisting of the Town Board liaison to the BZA, the Town Supervisor, the chair of the BZA, and the Zoning Officer,

**THEREFORE BE IT**

**RESOLVED** that the Ulysses Town Board appoints Jonathan Ferrari as the alternate member of the Ulysses BZA for the remainder of 2017, replacing Cheryl Thompson who took the position of George Tselekis, whose term expires 12/31/2017.

Moved: Ms. Thomas

Seconded: Mr. Boggs

Ms. Thomas	aye
Ms. Zahler	aye

Mr. Hertzler	aye
Mr. Boggs	aye
Mr. Goldman	aye

Vote: 5-0

Date Adopted: 10/24/17

**\*Resolution 2017-198: Approval Of Criteria For Selection Of Buyer For The Old Church**

**RESOLVED** that the Town of Ulysses Town Board intends to sell the historic church they own in Jacksonville using the following criteria to ensure a fair process in finding a qualified buyer.

**CRITERION 1: Planned use(s) of Church and adjacent parcel and fit with Comprehensive Plan goals**

Max Points Awarded = 12

Allowable use per zoning	1
Public or non-profit use(s)	3
Private sector use to generate taxable value	4
Use compatible with Comp Plan & historic character of the hamlet	7

**CRITERION 2: Plans for complying with environmental and historic deed restrictions**

Specific and feasible plan for compliance with environmental restrictions	5
Specific & feasible plans for compliance with historic deed restrictions	5
Plans include retention of interior staircases	5

**CRITERION 3: Budget and financing plan for preservation and renovation (beyond the sale price and closing costs)**

Feasible budget with reasonable plans for financing renovations	3
Very specific plans and feasible budget & financing for renovations	5

**CRITERION 4: Timetable for exterior preservation**

Feasible plans for completion	2
Very specific and feasible plans for completion	5

**CRITERION 5: Purchase price and qualifications of buyer**

Offer very low but buyer appears qualified	1
Offer is reasonable (Town recovers all of its costs) & buyer is qualified	3
Offer is more than others and buyer appears very qualified	5

**Max Score 42**

Moved: Ms. Zahler

Seconded: Mr. Boggs

Ms. Thomas	aye
Ms. Zahler	aye
Mr. Hertzler	aye
Mr. Boggs	aye
Mr. Goldman	aye

Vote: 5-0

Date Adopted: 10/24/17

**\*Resolution 2017-199: Approval Of Minutes- 9/28, 10/5 And 10/10**

BE IT RESOLVED that the Ulysses Town Board approve the minutes of 9/28, 10/5 and 10/10.

Moved: Ms. Thomas

Seconded: Mr. Goldman

Ms. Thomas                aye  
Ms. Zahler                aye  
Mr. Hertzler               aye  
Mr. Boggs                aye  
Mr. Goldman               aye

**\*Resolution 2017-200: Approval Of Minutes- 10/12 And 10/18**

BE IT RESOLVED that the Ulysses Town Board approve the minutes of 10/12 and 10/18 as amended by Ms. Thomas.

Moved: Ms. Thomas

Seconded: Mr. Goldman

Ms. Thomas                aye  
Ms. Zahler                aye  
Mr. Hertzler               aye  
Mr. Boggs                aye  
Mr. Goldman               aye

Vote: 5-0

Date Adopted: 10/24/17

**\*Resolution 2017-201: Approval Of Budget Modifications**

BE IT RESOLVED that the Ulysses Town Board approve the following budget modifications:

**DA FUND BUDGET MODIFICATIONS**

DA9060.8	Health Insurance	INCREASE	\$5,000.00
<i>To increase budget for projected excess needed</i>			
DA9010.8	State Retirement	DECREASE	\$3,000.00
<i>To transfer excess budget available to the Health Insurance account</i>			
DA9010.8	Worker Compensation	DECREASE	\$2,000.00
<i>To transfer excess budget available to the Health Insurance account</i>			

**DB FUND BUDGET MODIFICATIONS**

DB9060.8	Health Insurance	INCREASE	\$3,000.00
<i>To increase budget for projected excess needed</i>			
DB9040.8	Worker Compensation	DECREASE	\$3,000.00
<i>A236 total balance will be reduced to \$36,098.61 (Energy portion to \$0.00)</i>			

Moved: Ms. Thomas

Seconded: Mr. Goldman

Ms. Thomas	aye
Ms. Zahler	aye
Mr. Hertzler	aye
Mr. Boggs	aye
Mr. Goldman	aye

Vote: 5-0

Date Adopted: 10/24/17

### NOVEMBER 14th, 2017 REGULAR TOWN BOARD

#### \*Resolution 2017-202: Approval Of Meeting Agenda

BE IT RESOLVED that the Ulysses Town Board approve the agenda for Nov. 14, 2017 with the addition of a Water District 3 THM discussion and an executive session to discuss collective bargaining and the sale of real property.

Moved: Ms. Thomas

Seconded: Mr. Boggs

Ms. Thomas	aye
Ms. Zahler	aye
Mr. Hertzler	absent
Mr. Boggs	aye
Mr. Goldman	aye

Vote: 4-0

Date Adopted: 11/14/17

#### \*Resolution 2017-203: Objecting To The DEC Automatically Renewing Without Rigorous Environmental Review The Cargill Permit To Operate The Cayuga Salt Mine Under Cayuga Lake

**WHEREAS** it is known that Cargill's 5-year permit to mine under Cayuga Lake expires on 1 November 2017, and **WHEREAS**, the Town of Ulysses borders extend into Cayuga Lake over the Cayuga Salt Mine, and **WHEREAS** Town of Ulysses draws some drinking water from an aquifer at Taughannock Falls State Park that is hydraulically-connected to the lake, and

**WHEREAS** Water Districts in this municipality also obtain drinking water from Cayuga Lake via the Southern Cayuga Lake Intermunicipal Water Commission, and

**WHEREAS**, The Town Board of Ulysses recognizes the economic, social, recreational, and ecological importance of Cayuga Lake and its watershed to the State and to the local community; and

**WHEREAS** New York State has established the State Environmental Quality Review (SEQR) process to systematically consider environmental factors early in the planning stages of actions, and to prepare any draft environmental impact statements that may or should be required, for any projects that are directly undertaken, funded or approved by DEC or other relevant local, regional and state agencies; and

**WHEREAS** environmental review early in any permit issuance, renewal or modification allows a project to be vetted, and modified as needed, to avoid adverse impacts on the environment; and

**WHEREAS** the ongoing salt mining has both on-going and potential adverse impacts that have not been properly reviewed and vetted under SEQR, including unreviewed adverse impacts involving local water resources, groundwater and the waters of Cayuga Lake; and

**WHEREAS** these and other potential adverse impacts on the environment should be subject to review under SEQR before any further permit is issued or renewed or modified for the Cargill salt mining operation;

**BE IT THEREFORE RESOLVED** that the Town of Ulysses hereby joins in a second Article 78 (78-2) to be brought in New York State Supreme Court to ask that any issuance, renewal (including automatic renewal) or modification of operating permits that may be issued by DEC for the operation of Cargill salt mine that does not or did not require full compliance with SEQR (including preparation of a draft environmental impact statement) be nullified and set aside as contrary to law, rules or regulations governing such salt mine and any permits associated with such salt mine.

**FURTHER RESOLVED** that certified copies of this resolution be sent to Joseph M. Dlugolenski, Deputy Regional Permit Administrator; Matthew Marko, Regional Director, Region 7; Basil Seggos, Commissioner; Andrew Cuomo, Governor, State of New York; Roann M. Destito, Commissioner, NYS Office of General Services; Eric Schneiderman, Attorney General, NYS Office of the Attorney General; Patricia W. Silvey, Dep. Asst. Sec. for Operations, Mine Safety and Health Administration, US Dept of Labor; Wayne Palmer, Dep Assistant Secretary for Policy, MSHA; Peter Montali, District Manager, MSHA, Warrendale, PA; Pamela Helming, Senator, 54th NYS Senate District; Senator Thomas O'Mara, 58th NYS Senate District; Barbara Lifton, Assemblywoman, NYS Assembly District 125; Article 78 2017-1 municipal petitioners:

Village of Aurora; Mayor Bonnie Bennett

Town of Caroline: Supervisor Mark Witmer

Town of Danby: Supervisor Ric Dietrich

City of Ithaca: Mayor Svante Myrick

Village of Trumansburg: Mayor A. Martin Petrovic

Town of Ulysses: Supervisor Elizabeth Thomas

Attorney Richard Lippes, Lippes & Associates, Buffalo, NY

Moved: Ms. Thomas

Seconded: Mr. Boggs

Ms. Thomas	aye
Ms. Zahler	aye
Mr. Hertzler	absent
Mr. Boggs	opposed
Mr. Goldman	aye

Vote: 3-1

Date Adopted: 11/14/17

#### **\*Resolution 2017-204: Setting A Public Hearing For The Fire Contract**

RESOLVED that the Ulysses Town Board hold a Public Hearing on the 2018 Fire Contract at 6:45 p.m. on 11/28/2017 at the Ulysses Town Hall.

Moved: Ms. Thomas

Seconded: Mr. Boggs

Ms. Thomas	aye
Ms. Zahler	aye
Mr. Hertzler	absent
Mr. Boggs	aye
Mr. Goldman	aye

Vote: 4-0

Date Adopted: 11/14/17

#### **\*Resolution 2017-205: Adoption Of The 2018 Budget**

**WHEREAS** the Town Board of Ulysses adopted the Preliminary Budget for 2018 on October 10, 2017, and

**WHEREAS** the Town Board held a Public Hearing on October 24, 2017 where all members of the public were able to comment on the Preliminary Budget.

**NOW THEREFORE BE IT**

**RESOLVED** that the Town Board accepts the 2018 Preliminary Budget (as amended) to become the Final Budget for 2018 for the Town of Ulysses with a resulting 2.93% increase in the tax levy and a 0.28% increase in the final tax rate of \$2.59009/\$1,000 taxable assessed value.

Moved: Ms. Thomas

Seconded: Mr. Boggs

Ms. Thomas	aye
Ms. Zahler	aye
Mr. Hertzler	absent
Mr. Boggs	aye
Mr. Goldman	aye

Vote: 4-0

Date Adopted: 11/14/17

**\*Resolution 2017-207: Approval Of Minutes: 10/24**

BE IT RESOLVED that the Ulysses Town Board approve the minutes of 10/24/17 for the public hearing and regular meeting as amended.

Moved: Ms. Thomas

Seconded: Ms. Zahler

Ms. Thomas	aye
Ms. Zahler	aye
Mr. Hertzler	absent
Mr. Boggs	aye
Mr. Goldman	aye

Vote: 4-0

Date Adopted: 11/14/17

**\*Resolution 2017-208: Budget Modifications**

BE IT RESOLVED that the Ulysses Town Board approve the following budget modifications.

**DA FUND BUDGET MODIFICATIONS**

DA5140.1	Brush & Weeds PS	INCREASE	\$2,112.00
<i>To increase budget for projected excess needed</i>			
DA5130.4	Machinery CE	DECREASE	\$2,112.00
<i>To transfer excess budget available to the PS account</i>			

**DB FUND BUDGET MODIFICATIONS**

DB5110.1	Highway Maintenance PS	INCREASE	\$7,000.00
<i>To increase budget for projected excess needed</i>			
DB9030.8	Social Security	INCREASE	\$1,000.00
<i>To increase budget for projected excess needed based on increase to PS line</i>			
DB5112.2	Highway-Capital Improvements	DECREASE	\$8,000.00
<i>To transfer excess budget available to the PS and payroll tax lines</i>			

Moved: Ms. Thomas

Seconded: Mr. Boggs

Ms. Thomas	aye
Ms. Zahler	aye
Mr. Hertzler	absent
Mr. Boggs	aye
Mr. Goldman	aye

Vote: 4-0

Date Adopted: 11/14/17

#### **\*Resolution 2017-209: Approval Of Claims**

BE IT RESOLVED that the Ulysses Town Board approve payment of claims #515-572 in the amount of \$134,650.72.

Moved: Ms. Thomas

Seconded: Mr. Goldman

Ms. Thomas	aye
Ms. Zahler	aye
Mr. Hertzler	absent
Mr. Boggs	aye
Mr. Goldman	aye

Vote: 4-0

Date Adopted: 11/14/17

### **NOVEMBER 28<sup>th</sup>, 2017 REGULAR TOWN BOARD MEETING**

#### **\*Resolution 2017-210: Approval Of Meeting Agenda**

BE IT RESOLVED that the Ulysses Town Board approve the agenda for November 28, 2017.

Moved: Ms. Thomas

Seconded: Mr. Boggs

Ms. Thomas	aye
Ms. Zahler	aye
Mr. Hertzler	absent
Mr. Boggs	aye
Mr. Goldman	aye

Vote: 4-0

Date Adopted: 11/28/17

#### **\*Resolution 2017-211: Route 89 Water District Preliminary Cost Estimates**

**WHEREAS**, residents along Route 89 in the Town of Ulysses have requested the Town of Ulysses look into the possibility of creating a water district along all or part of NYS Route 89 from the town line with Ithaca to Taughannock Park, and

**WHEREAS** a rough estimate of area and expense would assist residents to decide whether to petition the Town Board to proceed with an officially engineered Map, Plan and Report.

Therefore be it,



**RESOLVED** that the Ulysses Town Board approves funding for a preliminary cost estimate to be done by the Town Engineering firm, MRB, for a potential water district along Route 89, including Maplewood Point Road. Costs are not to exceed \$3,500.

Moved: Ms. Thomas

Seconded: Mr. Boggs

Ms. Thomas	aye
Ms. Zahler	aye
Mr. Hertzler	absent
Mr. Boggs	aye
Mr. Goldman	aye

Vote: 4-0

Date Adopted: 11/28/17

**\*Resolution 2017-212: Approval Of Fire Contract**

**WHEREAS**, a fire protection district known as “the Fire Protection District of the Towns of Ulysses, Hector and Covert” (hereafter referred to as “the Fire Protection District”) has been duly established in the said towns; and

**WHEREAS**, the Fire Protection District encompasses the following territory in the Town of Ulysses: All of the Town of Ulysses, excepting the area within the limits of the incorporated Village of Trumansburg; and

**WHEREAS**, the Village of Trumansburg (hereafter referred to as “the Village”) maintains a volunteer fire department, with adequate and suitable apparatus, equipment and training for the furnishing of fire protection services within the Fire Protection District; and

**WHEREAS**, Town Law §184 permits a town to contract with a village which maintains adequate and suitable apparatus and appliances for the furnishing of fire protection services in such fire protection district; and

**WHEREAS**, the Town wishes to contract with the Village to provide fire protection services in the Fire Protection District; and

**WHEREAS**, a public hearing as required by §184 of the Town Law was duly advertised on November 18, 2017, and was held on November 28, 2017 at 6:45 p.m. at the Town of Ulysses Town Hall,

**NOW, THEREFORE, BE IT RESOLVED THAT:**

The Town Board of the Town of Ulysses hereby approves and authorizes execution of the attached Agreement between the Village and the Town, whereby the Village will provide the Town with fire protection capable of responding to fire related and health related emergencies on an ongoing basis within the Fire Protection District, for the period from January 1, 2018 until December 31, 2018. And be it further

**RESOLVED** that pursuant to the Agreement, the Town shall pay the Village the sum of \$230,882.19 for such services, on or before March 1, 2018, and be it further

**RESOLVED** that the Supervisor of the Town of Ulysses is hereby authorized to execute the Agreement on behalf of the Town of Ulysses.

Moved: Ms. Zahler

Seconded: Mr. Boggs

Ms. Thomas	aye
Ms. Zahler	aye
Mr. Hertzler	absent

Mr. Boggs                      aye  
Mr. Goldman                  aye

Vote: 4-0  
Date Adopted: 11/28/17

**\*Resolution 2017-213: 2018 EMS Contract**

**WHEREAS**, the Town Board established the Town of Ulysses Ambulance District by resolution adopted on March 12, 2013; and

**WHEREAS**, pursuant to Town Law §198(10-f) (a) (ii) and (iii), the Town Board is authorized to contract with a municipal corporation on behalf of an ambulance district for provision of ambulance services; and

**WHEREAS**, the Village of Trumansburg (hereafter referred to as "The Village"), a municipal corporation, maintains an ambulance department with a basic and advanced life support transporting ambulance service; and

**WHEREAS**, the Town wishes to provide ambulance services to its residents in the Town of Ulysses Ambulance District; and

**WHEREAS**, such emergency services are vital and necessary to the health and welfare of the inhabitants of the Town; and

**WHEREAS**, in joint cooperation as contemplated by General Municipal Law 122-b, the Town and the Village wish to cooperate to provide an ambulance service to persons situated in the Town of Ulysses Ambulance District;

**NOW, THEREFORE, BE IT RESOLVED THAT:**

The Town Board of the Town of Ulysses, on behalf of the Town of Ulysses Ambulance District, hereby approves and authorizes execution of the attached Agreement between the Village and the Town, whereby the Village will provide the Town with basic and advanced life support emergency medical ambulance services, which complies with the regulations of the New York State Department of Health, Bureau of Emergency Medical Services to serve the emergency medical needs of those persons within the boundaries of the Town of Ulysses Ambulance District. Services to be provided include Basic Life Support transport and treatment and arranging for or providing Advanced Life Support Treatment. And be it further

**RESOLVED** that pursuant to the Agreement, the Town shall pay the Village the sum of \$361,906.16 for such services, for the period 1/1/18 through 12/31/18, paid on or before March 1, 2018, and be it further

**RESOLVED** that the actual cost to town taxpayers is reduced by ambulance billing revenue, and

**BE IT FURTHER RESOLVED THAT**, pursuant to Town Law §198(11), the Agreement shall be executed by the signatures of a majority of the members of the Town Board.

Moved: Ms. Thomas                      Seconded: Ms. Zahler

Mr. Goldman inquired about current use of EMS services by CARS (Cayuga Addiction and Recovery Services). Ms. Zahler, Mr. Boggs and Ms. Thomas shared that they have been in touch with the EMS Manager and are working on a strategy for keeping CARS calls/costs down.

Ms. Thomas                      aye  
Ms. Zahler                      aye  
Mr. Hertzler                      absent  
Mr. Boggs                      aye  
Mr. Goldman                      aye

Vote: 4-0  
Date Adopted: 11/28/17

**\*Resolution 2017-214: NYS Paid Family Leave**

**WHEREAS**, New York State passed legislation called the Paid Family Leave Law (PFL) in 2016 to allow employees to leave work for reasons such as bonding with a newly born, adopted, or fostered child; caring for a family member with a serious health condition; or assisting loved ones when a family member is deployed abroad on active military service

**WHEREAS** while businesses must comply with the state law, municipalities may choose to opt into the law to include PFL as a benefit; and

**WHEREAS** funding for the PFL may be paid by the employer or deducted from employee's pay. The 2018 rate of deduction is 0.126% of their salary with a maximum annual contribution of \$85.56 per covered employee; and

**WHEREAS** if used, the benefit covers:

Wage replacement for 8 weeks in 2018, increasing to 12 weeks by 2021;

Job protection upon return from Paid Family Leave; and

Continuation of health insurance while out on Paid Family Leave.

**WHEREAS** the PFL is part of NYS disability coverage and the town of Ulysses covers the cost of disability insurance

**THEREFORE, BE IT RESOLVED** that the Ulysses Town Board approves enrolling in the New York State Paid Family Leave Program; and further

**RESOLVED** that the town will cover the cost of this benefit in 2018, and be it further

**RESOLVED** that language will be added to the Town of Ulysses Personnel Policy to cover this benefit.

Moved: Ms. Thomas

Seconded: Mr. Boggs

Ms. Thomas                      aye

Ms. Zahler                      aye

Mr. Hertzler                      absent

Mr. Boggs                      aye

Mr. Goldman                      aye

Vote: 4-0

Date Adopted: 11/28/17

#### **\*Resolution 2017-214: NYS Paid Family Leave (Revised)**

**WHEREAS**, New York State passed legislation called the Paid Family Leave Law (PFL) in 2016 to allow employees to leave work for reasons such as bonding with a newly born, adopted, or fostered child; caring for a family member with a serious health condition; or assisting loved ones when a family member is deployed abroad on active military service

**WHEREAS** while businesses must comply with the state law, municipalities may choose to opt into the law to include PFL as a benefit; and

**WHEREAS** funding for the PFL may be paid by the employer or deducted from employee's pay. The 2018 rate of deduction is 0.126% of their salary with a maximum annual contribution of \$85.56 per eligible employee; and

**WHEREAS** if used, the benefit covers:

a partial wage replacement for 8 weeks in 2018, increasing to 12 weeks by 2021; will be provided in accordance with the NYS PFL program

Job protection upon return from Paid Family Leave; and

Continuation of health insurance while out on Paid Family Leave.

**WHEREAS** the PFL is part of NYS disability coverage and the Town of Ulysses covers the cost of disability insurance

**THEREFORE, BE IT RESOLVED** that the Ulysses Town Board approves enrolling in the New York State Paid Family Leave Program; and further

**RESOLVED** that the town will cover the cost of this benefit in 2018, and be it further

**RESOLVED** that language will be added to the Town of Ulysses Personnel Policy to cover this benefit.

Moved: Ms. Thomas

Seconded: Ms. Zahler

Ms. Thomas	aye
Ms. Zahler	aye
Mr. Hertzler	absent
Mr. Boggs	aye
Mr. Goldman	aye

Vote: 4-0

Date Adopted: 11/28/17

**\*Resolution 2017-215: Approval Of Workers' Compensation Insurance For 2018**

**WHEREAS** the Town of Ulysses asked for quotes for Workers' Compensation Insurance coverage for 2018, and received three quotes through our reps at The Partners insurance company,

**BE IT RESOLVED** that the Ulysses Town Board accepts the quote received by The Partners for Workers Compensation Insurance from PERMA for coverage in 2018-2019 for the 2018 quoted amount of \$18,288, a savings of \$2,707 from 2017.

Moved: Ms. Thomas

Seconded: Mr. Boggs

Ms. Thomas	aye
Ms. Zahler	aye
Mr. Hertzler	abstain
Mr. Boggs	aye
Mr. Goldman	aye

Vote: 4-0

Date Adopted: 11/28/17

**\*Resolution 2017-216: Approval Of Medicare Plan For 2018**

**WHEREAS** the Town of Ulysses Personnel Policy states that Medicare eligible employees and retirees may be entitled to a Medicare Supplemental plan; and

**WHEREAS** the Town Board will determine that plan on an annual basis

**THEREFORE BE IT RESOLVED** that the Town Board names Excellus Medicare Blue PPO CoPay Plan as the plan for 2018 at the quoted amount of \$409.42 per month per enrollee.

Moved: Ms. Thomas

Seconded: Mr. Boggs

Ms. Thomas	aye
Ms. Zahler	aye
Mr. Hertzler	aye
Mr. Boggs	aye
Mr. Goldman	aye

Vote: 5-0

Date Adopted: 11/28/17

**\*Resolution 2017-217: Approval Of 2018 Water Rates For Water Districts 3 And 4**

**WHEREAS**, the water rate for Ulysses Water Districts 3 and 4 is based on what is charged by the Town of Ithaca with no additional fees; and

**WHEREAS** the Town of Ithaca has increased the water rate for 2018,

Therefore be it

**RESOLVED** that the water rate for Water Districts 3 and 4 is \$7.31/1000 gallons.

Moved: Ms. Thomas

Seconded: Mr. Boggs

Ms. Thomas	aye
Ms. Zahler	aye
Mr. Hertzler	aye
Mr. Boggs	aye
Mr. Goldman	aye

Vote: 5-0

Date Adopted: 11/28/17

**\*Resolution 2017-218: Cancellation Of The December 26 Town Board Meeting**

**RESOLVED** that the December 26, 2017 meeting of the Ulysses Town Board is cancelled.

Moved: Ms. Thomas

Seconded: Mr. Goldman

Ms. Thomas	aye
Ms. Zahler	aye
Mr. Hertzler	aye
Mr. Boggs	aye
Mr. Goldman	aye

Vote: 5-0

Date Adopted: 11/28/17

**\*Resolution 2017-219: Setting The Date For The 2018 Organizational Meeting**

**RESOLVED** that the 2018 Organizational meeting will be held on Thursday, Jan. 4, 2018 at 8am.

Moved: Ms. Thomas

Seconded: Mr. Boggs

Ms. Thomas	aye
Ms. Zahler	aye
Mr. Hertzler	aye
Mr. Boggs	aye
Mr. Goldman	aye

Vote: 5-0

Date Adopted: 11/28/17

**\*Resolution 2017-220: Approval Of Minutes- 11/14**

**BE IT RESOLVED** that the Ulysses Town Board approve the minutes of the Town Board meetings on 11/14 (as amended).

Moved: Ms. Thomas

Seconded: Ms. Zahler

Ms. Thomas	aye
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Ms. Zahler                    aye  
Mr. Hertzler                aye  
Mr. Boggs                   aye  
Mr. Goldman               aye

Vote: 5-0

Date Adopted: 11/28/17

## **DECEMBER 12<sup>th</sup>, 2017 REGULAR TOWN BOARD MEETING**

### **\*Resolution 2017-221: Approval Of Meeting Agenda**

BE IT RESOLVED that the Ulysses Town Board approve the agenda for Dec. 12, 2017 with the addition of pay rates, and a reading from the Declaration of Sentiments.

Moved: Ms. Thomas                    Seconded: Mr. Boggs

Ms. Thomas                    aye  
Ms. Zahler                    aye  
Mr. Hertzler                   absent  
Mr. Boggs                    aye  
Mr. Goldman                aye

Vote: 4-0

## **Date Adopted: 12/12/17**

### **\*Resolution 2017-222: Renewal Of Police Contract**

**BE IT RESOLVED** that the Ulysses Town Board approves the 2018 Intermunicipal Cooperative Agreement with the Village of Trumansburg, providing for limited police services by the Village in the Town, through 2018, pursuant to the terms and conditions of the 2018 agreement.

Moved: Ms. Thomas                    Seconded: Ms. Zahler

Ms. Thomas                    aye  
Ms. Zahler                    aye  
Mr. Hertzler                   absent  
Mr. Boggs                    aye  
Mr. Goldman                aye

Vote: 4-0

Date Adopted: 12/12/17

### **\*Resolution 2017-223: Pre-Approval Of Specific Contracts For The Town Of Ulysses In 2018**

**WHEREAS** the Town Board has budgeted funds for specific annually repeated contracts for services in 2018, therefore be it

**RESOLVED**, that the Town Board authorizes the Town Supervisor to sign contracts and make payments in 2018 for the following services

Entity	Estimated Contract Amount for 2018	Contract not to Exceed Amount for 2018
American Legion (Assistance for Veterans)	\$475	\$500

BAS software annual agreement for water billing	\$	\$675
BAS software annual agreement for clerk program		\$550
Cemetery and Jacksonville Park Mowing	\$3,300 & \$2500	\$7,000
Community Science Institute	\$6,067	\$6,500
Cooperative Extension (Youth Programming)	\$48,346	\$49,000
Engineering - MRB	See rate schedule	Not to exceed rate schedule.
Foodnet	\$2,250	\$2,500
Gadabout	\$2,000	\$2,500
General Code	\$10,000	\$10,000
Landscaping	By the hour	\$3500
Lifelong	\$1000	\$1000
Ulysses Historical Society	\$700	\$750
Stormwater Coalition	\$1500	\$1600
Trumansburg Senior Citizens	\$850	\$850
Tompkins County Recreation Partnership	\$7,887	\$8,000
Tompkins County Animal Control	\$18,134	\$19,000
Trumansburg Conservatory of Fine Arts	\$3,000	\$3,000
Trumansburg Community Recreation	\$2,500	\$2,500
Town Hall – Mainstay - Plumbing, electric and heating		(As needed)
Tompkins County Soil & Water	\$50/hr	\$52/hr
Utilities – electric and gas contract		
Ulysses Philomathic Library	\$16,000	\$16,000
Williamson Law – Accounting Software	\$998	\$1,200
Williamson Law Book- Tax Glance software program	\$125	Up to \$200
Village of Trumansburg Police Contract	\$0	\$0
Winterfest	\$1,000	\$1,000

Moved: Ms. Thomas

Seconded: Mr. Boggs

Ms. Thomas	aye
Ms. Zahler	aye
Mr. Hertzler	absent
Mr. Boggs	aye
Mr. Goldman	aye

Vote: 4-0

Date Adopted: 12/12/17

#### **\*Resolution 2017-224: Pay Rates**

BE IT RESOLVED that the Town Board hereby establishes the following pay rates for employees, board stipends and elected officials. If necessary to appoint a new employee or replace an elected official during the year of 2018, the Town Board will establish a salary commensurate with the experience and availability of funds: Mr. Goldman and Ms. Thomas will work with the bookkeeper to determine when these rates will go into effect.

Position	2018 Budgeted Appropriation	Hourly rate if applicable
Town Board		

Supervisor	17,881	-
Budget Officer	16,537	-
Deputy Supervisor	5,000	-
Bookkeeper	50,918	-
Councilperson	4,545 each	-
<b>Clerk</b>		
Town Clerk	53,058	-
Deputy Town Clerk	20,049	18.36
2nd Deputy Town Clerk	640	16.00
<b>Court</b>		
Town Justice	17,615	-
Court Clerk	42,949	-
<b>Planning, Zoning, Building</b>		
Enforcement Officer for Building Code	25,459	-
Deputy Enforcement Officer	13,000	22.50
Zoning Officer	29,814	-
Planner	29,814	-
Planning and Zoning Clerk	5,900	16.98
Planning and BZA Chairs	225 each	-
Planning and BZA Members	125 each	-
<b>Highway</b>		
Highway Superintendent	58,262	-
Deputy Highway Superintendent	-	22.24
Highway Machine Equipment Operator	-	20.28 – 21.74
Seasonal Highway	-	15.00 – 21.88
<b>Water</b>		
MEO/Water/Sewer Maintenance Worker	18,000	22.24
Distribution Operator Assistant/Laborer	3,000	15.39
<b>History</b>		
Historian	1,530	-
<b>Other</b>		
Project Assistant	-	10.40

Moved: Ms. Thomas

Seconded: Mr. Boggs

Ms. Thomas                aye  
Ms. Zahler                aye  
Mr. Hertzler               absent  
Mr. Boggs                aye  
Mr. Goldman               aye

Vote: 4-0

Date Adopted: 12/12/17

**\*RESOLUTION 2017-225: APPROVAL OF MINUTES-11/28**

BE IT RESOLVED that the Ulysses Town Board approve the minutes of 11/28/17 for the public hearing and regular meeting as amended.



Moved: Ms. Thomas

Seconded: Mr. Boggs

Ms. Thomas                aye  
Ms. Zahler                aye  
Mr. Hertzler               absent  
Mr. Boggs                aye  
Mr. Goldman               aye

Vote: 4-0

Date Adopted: 12/12/17

**\*Resolution 2017-226: Budget Modifications**

BE IT RESOLVED that the Ulysses Town Board approve the following budget modifications.

**A FUND BUDGET MODIFICATIONS**

A1220.4	Supervisor CE	INCREASE	\$900.00
<i>To increase budget for projected excess needed – payroll fees</i>			
A9060.8	Health Insurance	DECREASE	\$900.00
<i>To transfer excess budget available to CE account - actual was under budget</i>			

A1420.4	Attorney CE	INCREASE	\$6,100.00
<i>To increase budget for projected excess needed thru year end</i>			
A9060.8	Health Insurance	DECREASE	\$6,100.00
<i>To transfer excess budget available to CE account - actual was under budget</i>			

**DB FUND BUDGET MODIFICATIONS**

DB5110.1	Highway Maint PS	INCREASE	\$8,000.00
<i>To increase budget for projected excess needed thru year end</i>			
DB5110.4	Highway Maint CE	DECREASE	\$8,000.00
<i>To transfer excess budget available to PS account</i>			

**SW3 FUND BUDGET MODIFICATIONS**

SW3-8320.4	Water Purchases CE	INCREASE	\$2,600.00
<i>To increase budget for projected excess needed thru year end</i>			
SW3-8340.4	Water Trans & Distr CE	DECREASE	\$2,600.00
<i>To transfer excess budget available to purchase CE account</i>			

**SW4 FUND BUDGET MODIFICATIONS**

SW4-8320.4	Water Purchases CE	INCREASE	\$100.00
<i>To increase budget for projected excess needed thru year end</i>			
SW4-2140	Metered Sales	INCREASE	\$100.00
<i>To increase budget for additional revenue in 2017</i>			

Moved: Ms. Thomas

Seconded: Mr. Goldman

Ms. Thomas                aye  
Ms. Zahler                aye

Mr. Hertzler	absent
Mr. Boggs	aye
Mr. Goldman	aye

Vote: 4-0

Date Adopted: 12/12/17

**\*Resolution 2017-227: Approval Of Claims**

BE IT RESOLVED that the Ulysses Town Board approve payment of claims #573 through 634 in the amount of \$ 127,494.89.

Moved: Ms. Thomas

Seconded: Ms. Zahler

Ms. Thomas	aye
Ms. Zahler	aye
Mr. Hertzler	absent
Mr. Boggs	aye
Mr. Goldman	aye

Vote: 4-0

Date Adopted: 12/12/17